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Agencies in this issue—

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Agricultural Stabilization and
Conservation Service
Atomic Energy Commission
Civil Aeronautics Board
Commerce Department
Commodity Credit Corporation
Consumer and Marketing Service
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Federal Home Loan Bank Board
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Service
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[Revised as of January 1, 1965]

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Title 7—AGRICULTURE

Chapter VIII—Agricultural Stabilization and Conservation Service (Sugar), Department of Agriculture

SUBCHAPTER B—SUGAR REQUIREMENTS AND QUOTAS

[Sugar Reg. 811, Amdt. 4]

PART 811—CONTINENTAL SUGAR REQUIREMENTS AND AREA QUOTAS

Requirements, Quotas and Quota Deficits for 1965

Basis and purpose and bases and considerations. This amendment is issued pursuant to the authority vested in the Secretary of Agriculture by the Sugar Act of 1948, as amended (61 Stat. 922, as amended), hereinafter referred to as the "Act." The purpose of this amendment to Sugar Regulation 811 (29 F.R. 18149, 30 F.R. 2206, 2397, and 4314) is to determine and to prorate and allocate the deficit in a quota established pursuant to the Act.

Section 204(a) of the Act provides that the Secretary shall from time to time determine whether any area or country will be unable to fill its quota or proration of a quota. On the basis of the quota established for Puerto Rico for the calendar year 1965 in § 811.31 of this part and the supply of sugar expected to be available from that area for marketing in the continental United States during the calendar year 1965, it is herein found that Puerto Rico will be unable to fill its quota by 200,000 short tons, raw value. Accordingly, the quota deficit of 200,000 short tons, raw value, is determined and prorated between the Philippines and Western Hemisphere countries as a group including a provision to allocate such proration among Western Hemisphere countries. The deficit determined herein for Puerto Rico will not decrease marketing opportunities within its respective quota.

Effective date. This action establishes a deficit of 200,000 short tons, raw value, that may be authorized for importation from the Republic of the Philippines and Western Hemisphere countries as a group. In order to insure an orderly flow of sugar into the United States during the remainder of 1965 for the mutual benefit of consumers and the sugar industry, it is essential at this time that all persons selling and purchasing sugar for consumption in the continental United States be promptly informed of the changes in marketing opportunities. Therefore, it is hereby determined and found that compliance with the notice, procedure, and effective date requirements of the Administrative Procedure Act is unnecessary, impracticable, and contrary to the public interest and the amendment herein shall become effective

5 days after publication in the FEDERAL REGISTER.

By virtue of the authority vested in the Secretary of Agriculture by the Act, Part 811 of this chapter is hereby amended by amending §§ 811.31 and 811.33 and by adding new §§ 811.32 and 811.37 as follows:

1. Paragraph (a) of § 811.31 is amended by designating paragraph (a) as subparagraph (a) (1) and adding subparagraph (2) as follows:

§ 811.31 Quotas for domestic areas.

(a) (1) * * *

(2) It is hereby determined pursuant to section 204(a) of the Act that for the calendar year 1965 Puerto Rico will be unable by 200,000 short tons, raw value, of sugar to market the quota established for such area in subparagraph (1) of this paragraph. Pursuant to section 204(b) of the Act the determination of a deficit shall not affect the quotas established in subparagraph (1) of this paragraph.

2. Section 811.32 is added to read as follows:

§ 811.32 Proration and allocation of deficits and quotas in effect.

The deficit in the quota determined in paragraph (a) (2) of § 811.31 amounting to 200,000 short tons, raw value, is hereby prorated, pursuant to section 204(a) of the Act, between the Republic of the Philippines and Western Hemisphere countries named in section 202(a) (3) (A), of the Act which are in diplomatic relations with the United States by prorating 64,412 tons to the Republic of the Philippines, and by allocating the remainder of the deficit amounting to 135,588 short tons, raw value, to such Western Hemisphere countries as a group for importation into the United States during the period October 1, 1965, through November 30, 1965, on the basis of applications submitted pursuant to Part 817 of this chapter and proposals to purchase United States agricultural commodities submitted and accepted in accordance with the requirements and procedures established in § 811.37 of this part.

3. Section 811.33 is amended by amending paragraph (b) thereof to read as follows:

§ 811.33 Quotas for foreign countries.

(b) (1) For the calendar year 1965 the quota for the Republic of the Philippines is 1,050,000 short tons, raw value, and the quantity established in subparagraph (2) of this paragraph. Of the quantity of 1,050,000 short tons, raw value, 59,920 short tons, raw value, may be filled by direct-consumption sugar.

(2) In addition to the quantity of 1,050,000 short tons, raw value, for the Republic of the Philippines in subparagraph (1) of this paragraph, a quantity of 64,412 short tons, raw value, representing a proration of a quota deficit as pro-

vided in § 811.32, is added to and established as a part of the quota for such country. Such quantity of 64,412 short tons, raw value, of sugar may be imported during the period of October 1, 1965, through November 30, 1965, only as raw sugar in accordance with procedures set forth in Part 817 of this chapter. All applications for importation pursuant to this subparagraph (b) (2) received on or before the effective date of this amendment will be considered as having been received at the same time.

§ 811.37 Procedures and requirements applicable to sugar imported with special consideration to Western Hemisphere countries purchasing United States agricultural commodities.

(a) This section sets forth the procedures to be followed and the requirements to be met for the purpose of giving special consideration to countries of the Western Hemisphere purchasing United States agricultural commodities in connection with authorizing sugar for importation into the continental United States pursuant to § 811.32.

(b) A representative authorized by and acting on behalf of the Government of a foreign country proposing to supply sugar in accordance with paragraph (a) of this section, shall offer a proposal in writing addressed to the Director, Sugar Policy Staff, Agricultural Stabilization and Conservation Service, U.S. Department of Agriculture, Washington, D.C., 20250, which shall include in substance the following information and commitments:

(1) The quantity of raw sugar proposed for importation into the United States indicating the minimum and maximum quantities which could be imported by month of its importation, and stating in the proposal that such sugar is to be imported pursuant to § 811.32 of this part.

(2) The latest date the country's proposal may be accepted in whole or in part;

(3) A statement that the country agrees to use for the purchase and importation of United States agricultural commodities prior to July 1, 1966, an amount equal to the total net receipts, f.a.s. port of shipment, derived from the sale of sugar covered by the proposal and that it will certify to the Government of the United States that an amount equivalent to the net receipts derived from the sale of sugar has been used for the purchase and export of United States agricultural commodities prior to July 1, 1966. The total quantity of sugar allocated to each Western Hemisphere country pursuant to this section, may be limited to the same portion of the total deficit proration to the Western Hemisphere countries that the quota in effect for each such country bears to total quotas in effect for all Western Hemisphere countries named in section 202

(c)(3)(A) of the Act. Proposals pursuant to this section shall be received on or before the 10th day after this amendment has been published in the *FEDERAL REGISTER*.

(4) A statement that the country agrees that the agricultural commodities purchased will be consumed solely within the country or geographical area thereof.

(c) The representative of a foreign country who has submitted a proposal found acceptable by the Secretary will be notified of the acceptance, in whole or in part. Upon the acceptance by the Secretary of a proposal made in accordance with the requirements of this section, authorization for importation will be issued and set-asides will be approved in accordance with the provisions of part 817 of this chapter for the quantity of sugar accepted under the proposal. Quota will be reserved to the extent of the accepted quantity for a period of not to exceed fifteen days from the date of the acceptance of a proposal made under this section to provide time for the submission of an application for set-aside of quota or authorization for importation pursuant to Part 817 of this chapter. (Sec. 403, 61 Stat. 932, 7 U.S.C. 1153)

Issued at Washington, D.C., this 13th day of August 1965.

JOHN A. SCHNITTKER,
Acting Secretary.

[F.R. Doc. 65-8726; Filed, Aug. 13, 1965;
5:01 p.m.]

Chapter IX—Consumer and Marketing Service (Marketing Agreements and Orders; Fruits, Vegetables, Nuts), Department of Agriculture

PART 900—GENERAL REGULATIONS

PART 944—FRUIT; IMPORT REGULATIONS

PART 980—VEGETABLES; IMPORT REGULATIONS

PART 999—SPECIALTY CROPS; IMPORT REGULATIONS

Miscellaneous Amendments

1. The title of this chapter is hereby amended to read as set forth above:

2. (a) Pursuant to the order of the Secretary of Agriculture dated February 8, 1965 (30 F.R. 2160), changing the name of Agricultural Marketing Service to Consumer and Marketing Service, 7 CFR Chapter IX, Parts 900, 944, 980, and 999 are amended as follows:

Wherever the terms "Agricultural Marketing Service" or "AMS" appear in the following sections, they are hereby changed to read "Consumer and Marketing Service" or "C&MS," respectively.

(1) As to Part 900: §§ 900.2(e), 900.51(e), 900.101 (e) and (f), and 900.200 (e).

(2) As to Part 944: §§ 944.4(b), 944.103(b), 944.201(b), and 944.306(b).

(3) As to Part 980: §§ 980.1 (f) and (g) (1) (ii), 980.103 (e) and (f) (3), and 980.202 (d) and (e) (1).

(4) As to Part 999: §§ 999.1 (a) (7) and (e) (2), and 999.100(a) (5).

(b) Part 900, §§ 900.101(g) is amended by changing "Milk Marketing Orders Division" to read "Dairy Division."

Statement of considerations. These amendments are of an organizational nature. They merely reflect the change in the name of the agency which administers the regulations and make no substantive change in the regulations. It is found under section 4 of the Administrative Procedure Act (5 U.S.C. 1003) that notice and other public procedure regarding the amendments are unnecessary and good cause is found for making the amendments effective in less than 30 days after the publication thereof in the *FEDERAL REGISTER*.

These amendments shall become effective upon publication in the *FEDERAL REGISTER*.

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601 et seq.)

Done at Washington, D.C., this 11th day of August 1965.

CLARENCE H. GIRARD,
Deputy Administrator,
Regulatory Programs.

[F.R. Doc. 65-8638; Filed, Aug. 16, 1965;
8:47 a.m.]

[Lemon Reg. 173, Amdt. 1]

PART 910—LEMONS GROWN IN CALIFORNIA AND ARIZONA

Limitation of Handling

Findings. 1. Pursuant to the marketing agreement, as amended, and this part (Order No. 910, as amended), regulating the handling of lemons grown in California and Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of the recommendations and information submitted by the Lemon Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such lemons, as hereinafter provided, will tend to effectuate the declared policy of the act by tending to establish and maintain such orderly marketing conditions for such lemons as will provide, in the interest of producers and consumers, an orderly flow of the supply thereof to market throughout the normal marketing season to avoid unreasonable fluctuations in supplies and prices, and is not for the purpose of maintaining prices to farmers above the level which it is declared to be the policy of Congress to establish under the act.

2. It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this amendment until 30 days after publication hereof in the *FEDERAL REGISTER* (5 U.S.C. 1001-1011) because the time intervening between the date when information upon which this amendment is based became available and the time when this amendment must become effective in order to effectuate the declared

policy of the act is insufficient, and this amendment relieves restrictions on the handling of lemons grown in California and Arizona.

Order, as amended. The provisions in paragraph (b) (1) (ii) of § 910.473 (Lemon Reg. 173, 30 F.R. 9876) are hereby amended to read as follows:

§ 910.473 Lemon Regulation 173.

- (b) Order. (1) * * *
- (ii) District 2: 302,250 cartons.

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

Dated: August 12, 1965.

PAUL A. NICHOLSON,
Deputy Director, Fruit and
Vegetable Division, Consumer
and Marketing Service.

[F.R. Doc. 65-8665; Filed, Aug. 16, 1965;
8:49 a.m.]

Title 8—ALIENS AND NATIONALITY

Chapter I—Immigration and Naturalization Service, Department of Justice

PART 212—DOCUMENTARY REQUIREMENTS: NONIMMIGRANTS; WAIVERS; ADMISSION OF CERTAIN INADMISSIBLE ALIENS; PAROLE

Nonresident Alien Border Crossing Cards

The following amendments to Chapter I of Title 8 of the Code of Federal Regulations are hereby prescribed:

1. Paragraph (c) of § 212.1 *Documentary requirements for nonimmigrants* is amended to read as follows:

§ 212.1 Documentary requirements for nonimmigrants.

(c) *Mexican nationals.* A visa and a passport are not required of a Mexican national who is a military or civilian official or employee of the Mexican national, State, or municipal government, or of a member of the family of any such official or employee; or is in possession of a border crossing card on Form I-186 and is applying for admission in accordance with the provisions of § 212.6; or is entering solely for the purpose of applying for a Mexican passport or other official Mexican document at a Mexican consular office on the United States side of the border. A visa is not required of a Mexican national who is a crewman employed on an aircraft belonging to a Mexican company authorized to engage in commercial transportation into the United States.

2. Section 212.6 is amended to read as follows:

§ 212.6 Nonresident alien border crossing cards.

(a) *Use.* A Canadian nonresident alien border crossing card on Form I-185

may be presented by a Canadian citizen or British subject residing in Canada to facilitate entry at a United States port of entry. When presented by the rightful holder, Form I-185 is valid for admission in accordance with the terms noted thereon. A Mexican nonresident alien border crossing card, Form I-186, may be presented as an entry document at a United States port of entry on the Mexican border by a Mexican citizen who seeks to enter the United States for a period of 72 hours or less to visit in the area within 150 miles of the Mexican border. The rightful holder of a valid Form I-186 seeking entry into the United States from Mexico, or from Canada if he has been in no country other than the United States and Canada since leaving Mexico, may apply for admission at any United States port of entry for more than 72 hours or to proceed to areas in the United States outside the 150-mile geographical limitation, or both, and, if admitted, shall be issued a Form I-94.

(b) *Application.* A citizen of Canada or a British subject residing in Canada shall apply on Form I-175 for a nonresident alien border crossing card, supporting his application with evidence of Canadian or British citizenship, residence in Canada, and two photographs, size 1½" x 1½". Form I-175 shall be submitted to an immigration officer at a Canadian border port of entry. A citizen of Mexico shall apply on Form I-190 for a nonresident alien border crossing card, supporting his application with evidence of Mexican citizenship and residence, a valid unexpired passport or a valid Mexican Form 13, and two photographs, size 1½" x 1½". Form I-190 shall be submitted to an immigration officer at a Mexican border port of entry or to an American consular officer in Mexico, other than one assigned to a consulate situated adjacent to the border between Mexico and the United States. Each applicant under this paragraph, except a child under 14 years of age, shall appear in person before an immigration officer or a consular officer prior to the adjudication of his application and be interrogated concerning his eligibility for a nonresident alien border crossing card. If the applicant is a child under 14 years of age who seeks to commute daily to attend school in the United States, the child must appear with his parent or legal guardian for the required interview. An appeal shall not lie from a denial of the application, but such denial shall be without prejudice to a subsequent application for a visa or for admission to the United States.

(c) *Validity.* Forms I-185 and I-186 issued on or after September 15, 1965, are valid for a period of 4 years from date of issuance. Forms I-185 and I-186 issued prior to September 15, 1965, are valid until revoked.

(d) *Voidance.* Forms I-185 and I-186 may be declared void, without notice, by an officer authorized to issue such forms and upon voidance, shall be surrendered immediately. Violations of the immigration laws or subsequent developments indicating inadmissibility shall be grounds, though not exclusive, for voidance of the forms. An appeal shall not

lie from a decision voiding a nonresident alien border crossing card, but such voidance shall be without prejudice to a subsequent application for a visa or for admission to the United States.

(e) *Replacement.* If a nonresident alien border crossing card has been lost, mutilated, or destroyed, the person to whom such card was issued may apply for a new card in accordance with the provisions of this section. The holder of a Form I-185 or I-186 which is in poor condition because of improper lamination may be issued a new one without submitting a fee or application upon surrender of the original card.

(f) *Previous removal or deportation; waiver of inadmissibility.* Pursuant to the authority contained in section 212

(d) (3) of the Act, the bar to admissibility contained in paragraph (16) or (17) of section 212(a) of the Act is hereby waived for an alien in possession of a Mexican nonresident alien border crossing card who establishes that he is otherwise admissible as a visitor or student except for his removal or deportation prior to November 1, 1956, because of entry without inspection or lack of required documents.

(Sec. 103, 66 Stat. 173; 8 U.S.C. 1103)

This order shall be effective on September 15, 1965. Compliance with the provisions of section 4 of the Administrative Procedure Act (60 Stat. 238; 5 U.S.C. 1003) as to notice of proposed rule making and delayed effective date is unnecessary in this instance because the rules prescribed by the order relate to agency procedure and confer benefits on persons affected thereby.

Dated: August 4, 1965.

RAYMOND F. FARRELL,
Commissioner of
Immigration and Naturalization.

[F.R. Doc. 65-8644; Filed, Aug. 16, 1965;
8:48 a.m.]

Title 12—BANKS AND BANKING

Chapter V—Federal Home Loan Bank Board

SUBCHAPTER C—FEDERAL SAVINGS AND LOAN SYSTEM

[No. 19,335]

PART 541—DEFINITIONS

PART 545—OPERATIONS

Loans on Security of Short-Term Leaseholds

AUGUST 12, 1965.

Resolved that notice and publication procedure having been duly afforded (30 F.R. 892) and all relevant material presented or available having been considered by it, the Federal Home Loan Bank Board, upon the basis of such consideration and of determination by it of the advisability of amendment of Parts 541 and 545 of the rules and regulations for the Federal Savings and Loan System (12 CFR Parts 541 and 545) to permit Federal savings and loan associations to lend on the security of short-

term leaseholds, and for the purpose of effecting such amendment hereby amends said Parts 541 and 545 as hereinafter set forth effective September 17, 1965.

1. Paragraph (a) of § 541.9 of the rules and regulations for the Federal Savings and Loan System is hereby amended to read as follows:

§ 541.9 Loans on the security of first liens.

(a) The term "loans on the security of first liens" means loans on the security of any instrument (whether a mortgage, deed of trust, or land contract) which makes the interest in the real estate described therein (whether in fee or in a leasehold or subleasehold extending or renewable automatically or at the option of the holder (or at the option of the Federal association) for a period of at least 50 years from the date the loan is executed or such shorter period, but at least 10 years beyond the maturity of the loan, as may be approved by the Board in accordance with § 545.6-19 of this chapter) specific security for the payment of the obligation secured by such instrument: *Provided*, The instrument is of such nature that, in the event of default, the real estate described in such instrument could be subjected to the satisfaction of such obligation with the same priority as a first mortgage or a first deed of trust in the jurisdiction where the real estate is located.

2. Part 545 of the rules and regulations for the Federal Savings and Loan System is hereby amended by the addition of a new section, § 545.6-19, to read as follows:

§ 545.6-19 Short-term leaseholds.

(a) A Federal association whose regular lending area includes all or part of any county where under local practice lending on leaseholds extending or renewable automatically for a period of less than 50 years is prevalent may seek Board approval to make loans on a basis similar to local practice by filing an application with the Board containing the following:

(1) A map showing the county in which the association proposes to make such loans and the association's regular lending area;

(2) Citations to the appropriate provisions of local law authorizing other institutional lenders to make such loans; and

(3) Information demonstrating the competitive necessity for making such loans.

(b) Approval of any such application by the Board shall constitute approval for all Federal associations otherwise authorized to make loans on such terms in such county.

(Sec. 5, 48 Stat. 132, as amended; 12 U.S.C. 1464. Reorg. Plan No. 3 of 1947, 12 F.R. 4981, 3 CFR, 1947 Supp.)

By the Federal Home Loan Bank Board.

[SEAL] HARRY W. CAULSEN,
Secretary.

[F.R. Doc. 65-8654; Filed, Aug. 16, 1965;
8:48 a.m.]

Title 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. C-905]

PART 13—PROHIBITED TRADE PRACTICES

Nat J. Dumbrow Co., Inc., et al.

Subpart—Furnishing false guaranties: § 13.1053 *Furnishing false guaranties*: 13.1053-90 Wool Products Labeling Act. Subpart—Invoicing products falsely: § 13.1108 *Invoicing products falsely*: 13.1108-45 Fur Products Labeling Act. Subpart—Misbranding or mislabeling: § 13.1185 *Composition*: 13.1185-30 Fur Products Labeling Act; 13.1185-90 Wool Products Labeling Act; § 13.1212 *Formal regulatory and statutory requirements*: 13.1212-30 Fur Products Labeling Act; 13.1212-90 Wool Products Labeling Act. Subpart—Misrepresenting oneself and goods—Goods: § 13.1590 *Composition*: 13.1590-30 Fur Products Labeling Act. Subpart—Neglecting, unfairly or deceptively to make material disclosure: § 13.1852 *Formal regulatory and statutory requirements*: 13.1852-35 Fur Products Labeling Act; 13.1852-80 Wool Products Labeling Act.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; secs. 2-5, 54 Stat. 1128-1130; sec. 8, 65 Stat. 179; 15 U.S.C. 45, 68, 69f) [Cease and desist order, Nat J. Dumbrow Co., Inc., et al., New York, N.Y., Docket C-905, June 10, 1965]

In the Matter of Nat J. Dumbrow Co., Inc., a Corporation, and Nat J. Dumbrow, and Harold Dumbrow, Individually and as officers of the Said Corporation

Consent order, in alleged violations of the Fur Products Labeling and the Wool Products Labeling Acts, requiring New York City manufacturers of wool and fur products, to cease mislabeling fur products by falsely representing artificially colored furs as natural, setting forth required information in handwriting, omitting required information, and failing to attach any label to sample products; and failing to set forth on invoices the required identification numbers; to cease mislabeling the fiber content of wool products by tagging interlining materials as "85 percent wool, 15 percent Other Fibers", when said materials contained substantially different fibers and amounts than as represented, failing to disclose identification numbers and other required information, failing to attach any label to sample products; and furnishing false guaranties that certain wool products were not misbranded under the provisions of the Act.

The order to cease and desist, including further order requiring report of compliance therewith, is as follows:

It is ordered, That respondents Nat J. Dumbrow Co., Inc., a corporation, and its officers, and Nat J. Dumbrow, and Harold Dumbrow, individually and as officers of said corporation, and respondents' representatives, agents, and employees, directly or through any corporate or other

device, in connection with the introduction, or manufacture for introduction, into commerce, or the sale, advertising or offering for sale in commerce, or the transportation or distribution in commerce, of any fur product; or in connection with the manufacture for sale, sale, advertising, offering for sale, transportation or distribution, of any fur product which is made in whole or in part of fur which has been shipped and received in commerce; as the terms "commerce", "fur" and "fur product" are defined in the Fur Products Labeling Act, do forthwith cease and desist from:

A. Misbranding fur products by: 1. Representing directly or by implication on labels that the fur contained in any fur product is natural when the fur contained therein is bleached, dyed, tipped, or otherwise artificially colored.

2. Failing to affix labels to fur products showing in words and in figures plainly legible all of the information required to be disclosed by each of the subsections of section 4(2) of the Fur Products Labeling Act.

3. Setting forth information required under section 4(2) of the Fur Products Labeling Act and the rules and regulations promulgated thereunder in handwriting on labels affixed to fur products.

4. Failing to affix labels to sample fur products used to promote or effect sales of fur products showing in words and figures plainly legible all of the information required to be disclosed by each of the subsections of section 4(2) of the Fur Products Labeling Act.

5. Failing to set forth on labels the item number or mark assigned to a fur product.

B. Falsely or deceptively invoicing fur products by: 1. Failing to furnish invoices as the term "invoice" is defined in the Fur Products Labeling Act showing in words and figures plainly legible all of the information required to be disclosed in each of the subsections of section 5 (b) (1) of the Fur Products Labeling Act.

2. Failing to set forth on invoices the item number or mark assigned to a fur product.

It is further ordered, That respondents Nat J. Dumbrow Co., Inc., a corporation and its officers, and Nat J. Dumbrow and Harold Dumbrow, individually and as officers of the said corporation, and respondents' representatives, agents and employees, directly or through any corporate or other device, in connection with the introduction into commerce, or the offering for sale, sale, transportation, distribution, delivery for shipment or shipment in commerce, of coats or other wool products, as "wool" and "wool product" are defined in the Wool Products Labeling Act of 1939, do forthwith cease and desist from:

A. Misbranding wool products by: 1. Falsely and deceptively stamping, tagging, labeling, or otherwise identifying such products as to the character or amount of the constituent fibers contained therein.

2. Failing to securely affix to, or place on, each such product a stamp, tag, label, or other means of identification showing in a clear and conspicuous

manner each element of information required to be disclosed by section 4(a) (2) of the Wool Products Labeling Act of 1939.

3. Failing to affix labels to sample wool products used to promote or effect sales of wool products showing in words and figures plainly legible all the information required to be disclosed by each of the subsections of section 4(a) (2) of the Wool Products Labeling Act of 1939.

B. Furnishing false guaranties that wool products are not misbranded under the provisions of the Wool Products Labeling Act, when there is reason to believe that the wool products so guaranteed will be introduced, sold, transported, or distributed in commerce.

It is further ordered, That the respondents herein shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with this order.

Issued: June 10, 1965.

By the Commission.

[SEAL]

JOSEPH W. SHEA,
Secretary.

[P.R. Doc. 65-8608; Filed, Aug. 16, 1965;
8:45 a.m.]

[Docket No. C-904]

PART 13—PROHIBITED TRADE PRACTICES

Joseph Galler, Inc., and
Joseph Galler

Subpart—Invoicing products falsely: § 13.1108 *Invoicing products falsely*: 13.1108-40 Federal Trade Commission Act. Subpart—Misbranding or mislabeling: § 13.1185 *Composition*: 13.1185-90 Wool Products Labeling Act; § 13.1212 *Formal regulatory and statutory requirements*: 13.1212-90 Wool Products Labeling Act.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended, secs. 2-5, 54 Stat. 1128-1130; 15 U.S.C. 45, 68) [Cease and desist order, Joseph Galler, Inc., et al., New York, N.Y., Docket C-904, June 7, 1965]

Consent order, in alleged violation of the Wool Products Labeling Act, requiring New York City importers of wool products, to cease mislabeling and falsely invoicing certain yarns as "100-percent mohair," when said yarns contained substantially less mohair than represented and contained other woolen fibers, and to cease describing certain fibers on labels as mohair which were not entitled to such designation and omitting required information on labels.

The order to cease and desist, including further order requiring report of compliance therewith, is as follows:

It is ordered, That respondents Joseph Galler, Inc., a corporation, and Joseph Galler, individually and as an officer of said corporation, and respondents' representatives, agents and employees, directly or through any corporate or other device, do forthwith cease and desist from introducing into commerce, or offering for sale, selling, transporting,

distributing or delivering for shipment in commerce, wool yarn or other wool products, as "commerce" and "wool product" are defined in the Wool Products Labeling Act of 1939:

1. Which are falsely or deceptively stamped, tagged, labeled, or otherwise identified as to the character or amount of the constituent fibers contained therein.

2. Unless such wool yarn or other wool product has securely affixed thereto or placed thereon a stamp, tag, label, or other means of identification correctly showing in a clear and conspicuous manner each element of information required to be disclosed by section 4(a) (2) of the Wool Products Labeling Act of 1939.

3. Which has affixed thereto a label which uses the term "mohair" in lieu of the word "wool" in setting forth the required information on labels affixed to wool products unless the fibers described as mohair are entitled to such designation and are present in at least the amount stated.

It is further ordered. That respondents Joseph Galler, Inc., a corporation, and Joseph Galler, individually and as an officer of said corporation, and respondents' representatives, agents, and employees directly or through any corporate or other device, in connection with the offering for sale, sale, or distribution of yarn or any other textile products in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from misrepresenting the character or amount of constituent fibers contained in yarn or any other textile products on invoices or shipping memoranda applicable thereto or in any other manner.

It is further ordered. That the respondents herein shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with this order.

Issued: June 7, 1965.

By the Commission.

[SEAL] JOSEPH W. SHEA,
Secretary.

[F.R. Doc. 65-8609; Filed, Aug. 16, 1965;
8:45 a.m.]

[Docket No. C-906]

PART 13—PROHIBITED TRADE PRACTICES

David Kohler and National Labor Record

Subpart—Coercing and intimidating: § 13.350 Customers or prospective customers. Subpart—Enforcing dealings or payments wrongfully: § 13.1045 Enforcing dealings or payments wrongfully. Subpart—Misrepresenting oneself and goods—Business Status, Advantages or Connections: § 13.1395 Connections or arrangements with others.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45) [Cease and desist order, David Kohler, doing business as National Labor Record, Long Island, N.Y., Docket C-906, June 10, 1965]

No. 158—2

Consent order requiring a Hempstead, Long Island, N.Y., publisher of a periodical known as National Labor Record which is independently organized and operated, deriving a large part of its income from the sale of advertising space in said paper, to cease representing falsely that the paper was endorsed by, affiliated with, or connected with any labor union; intimidating and coercing business concerns into purchasing advertising space in aforesaid paper, and publishing unauthorized advertisements of various concerns in the paper and then seeking to exact payment for such advertisements from the concerns.

The order to cease and desist, including further order requiring report of compliance therewith, is as follows:

It is ordered. That respondent David Kohler, an individual, trading and doing business as National Labor Record, and respondent's representatives, agents, and employees, directly or through any corporate or other device, in connection with the soliciting, offering for sale, or sale in commerce, of advertising space in the paper now designated as National Labor Record, or any other publication, whether published under that name, or any other name, and in connection with the offering for sale, sale or distribution of said paper, in commerce as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Representing, directly or by implication that said paper is endorsed by, affiliated with, or an official publication of, or otherwise connected with a labor union.

2. Inducing or seeking to induce any business concern to purchase advertising space in or contribute to respondent's publication, by means of expressed or implied threats that such business concern may be subjected to unfavorable treatment at the hands of representatives or purported representatives of labor should it refuse to make such purchase or contribution.

3. Placing, printing or publishing any advertisement on behalf of any person or firm in said paper without a prior order or agreement to purchase said advertisement.

4. Sending bills, letters, or notices to any person or firm with regard to an advertisement which has been, or is to be, printed, inserted or published on behalf of said person or firm, or in any other manner seeking to exact payment for any such advertisement, without a bona fide order or agreement to purchase said advertisement.

It is further ordered. That the respondent herein shall, within sixty (60) days after service upon him of this order, file with the Commission a report in writing setting forth in detail the manner and form in which he has complied with this order.

Issued: June 10, 1965.

By the Commission.

[SEAL] JOSEPH W. SHEA,
Secretary.

[F.R. Doc. 65-8610; Filed, Aug. 16, 1965;
8:45 a.m.]

Title 21—FOOD AND DRUGS

Chapter I—Food and Drug Administration, Department of Health, Education, and Welfare

SUBCHAPTER B—FOOD AND FOOD PRODUCTS

PART 120—TOLERANCES AND EXEMPTIONS FROM TOLERANCES FOR PESTICIDE CHEMICALS IN OR ON RAW AGRICULTURAL COMMODITIES

O,O-Diethyl S-2-(Ethylthio)Ethyl Phosphorodithioate; Tolerances for Residues

A petition was filed (PP 5F0443) with the Food and Drug Administration by Chemagro Corp., Post Office Box 4913, Kansas City, Mo., 64120, requesting the establishment of a tolerance for residues of the insecticide O,O-diethyl S-2-(ethylthio)ethyl phosphorodithioate in or on corn forage at 0.75 part per million.

The Secretary of Agriculture has certified that this pesticide chemical is useful for the purpose for which a tolerance is being established.

After consideration of the data submitted in the petition and other relevant material which show that the tolerance established in this order will protect the public health, and by virtue of the authority vested in the Secretary of Health, Education, and Welfare by the Federal Food, Drug, and Cosmetic Act (sec. 408(d)(2), 68 Stat. 512; 21 U.S.C. 346a(d)(2)) and delegated to the Commissioner of Food and Drugs by the Secretary (21 CFR 2.90), § 120.183 of the pesticide regulations is amended by adding a tolerance of 0.75 part per million in or on corn forage. As amended the affected portion of the regulation reads:

§ 120.183 O,O-Diethyl S-2-(ethylthio)ethyl phosphorodithioate; tolerances for residues.

0.75 part per million in or on barley grain, beans (dry), beans (lima), beans (snap), broccoli, brussels sprouts, cabbage, cauliflower, corn forage, cottonseed, lettuce, oat grain, peanuts, peas, pineapples, potatoes, rice, spinach, tomatoes.

Any person who will be adversely affected by the foregoing order may at any time within 30 days from the date of its publication in the FEDERAL REGISTER file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington, D.C., 20201, written objections thereto, preferably in quintuplicate. Objections shall show wherein the person filing with be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof.

Effective date. This order shall be effective on the date of its publication in the *FEDERAL REGISTER*.

(Sec. 408(d)(2), 68 Stat. 512; 21 U.S.C. 346a (d)(2))

Dated: August 10, 1965.

GEO. P. LARRICK,
Commissioner of Food and Drugs.

[F.R. Doc. 65-8655; Filed, Aug. 16, 1965;
8:49 a.m.]

PART 121—FOOD ADDITIVES

Subpart F—Food Additives Resulting From Contact With Containers or Equipment and Food Additives Otherwise Affecting Food

PRESSURE-SENSITIVE ADHESIVES

The Commissioner of Food and Drugs, having evaluated the data in a petition (FAP 4B1384) filed by the Goodyear Tire & Rubber Co., 1144 East Market Street, Akron, Ohio, 44316, and other relevant material, has concluded that the food additive regulations should be amended to provide for the use of an additional substance in the production of pressure-sensitive food-contact adhesives. Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1)), and under the authority delegated to the Commissioner by the Secretary of Health, Education, and Welfare (21 CFR 2.90), § 121.2577(b)(2) is amended by inserting alphabetically in the list of substances a new item, as follows:

§ 121.2577 Pressure-sensitive adhesives.

- (b) * * *

(2) * * *

cis-1,4-Polyisoprene.

Any person who will be adversely affected by the foregoing order may at any time within 30 days from the date of its publication in the *FEDERAL REGISTER* file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington, D.C., 20201, written objections thereto, preferably in triplicate. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof.

Effective date. This order shall be effective on the date of its publication in the *FEDERAL REGISTER*.

(Sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1))

Dated: August 10, 1965.

GEO. P. LARRICK,
Commissioner of Food and Drugs.

[F.R. Doc. 65-8656; Filed, Aug. 16, 1965;
8:49 a.m.]

Title 22—FOREIGN RELATIONS

Chapter I—Department of State

[Departmental Reg. 108.521]

PART 41—VISAS: DOCUMENTATION OF NONIMMIGRANTS UNDER THE IMMIGRATION AND NATIONALITY ACT, AS AMENDED

Nonimmigrant Documentary Waivers

Part 41, Chapter I, Title 22 of the Code of Federal Regulations is amended by revising paragraph (c) of § 41.6 to permit immigration officers in their discretion to admit Mexican nationals who are holders of border-crossing cards on Form I-186 as temporary visitors for business or pleasure for periods in excess of 72 hours and for purposes of visiting in the United States in other than areas immediately adjacent to the Mexican border. Paragraph (c) is also amended by deleting the reference to Title V of the Agricultural Act of 1949, as amended, which has expired. The amended paragraph reads as follows:

§ 41.6 Nonimmigrants not required to present passports, visas, or border-crossing identification cards.

(c) *Mexican nationals.* A visa and a passport shall not be required of a Mexican national who is a military or civilian official or employee of the Mexican national, state, or municipal government, or of a member of the family of any such official or employee; or is in possession of a border-crossing card on Form I-186 and is applying for admission in accordance with the provisions of 8 CFR 212.6; or is entering solely for the purpose of applying for a Mexican passport or other official Mexican document at a Mexican consular office on the U.S. side of the border. A visa shall not be required of a Mexican national who is a crewman employed on an aircraft belonging to a Mexican company authorized to engage in commercial transportation into the United States.

Effective date: The regulations contained in this order shall become effective September 15, 1965.

The provisions of section 4 of the Administrative Procedure Act (60 Stat. 238; 5 U.S.C. 1003) relative to notice of proposed rule making and delayed effective date are inapplicable to this order because the regulations contained therein

involve foreign affairs functions of the United States.

CHARLES H. MACE,
Acting Administrator, Bureau of
Security and Consular Affairs,
Department of State.

JULY 19, 1965.

RAYMOND F. FARRELL,
Commissioner of Immigration
and Naturalization, Immigration
and Naturalization Service,
Department of Justice.

AUGUST 4, 1965.

[F.R. Doc. 65-8642; Filed, Aug. 16, 1965;
8:47 a.m.]

[Departmental Reg. 108.522]

PART 41—VISAS: DOCUMENTATION OF NONIMMIGRANTS UNDER THE IMMIGRATION AND NATIONALITY ACT, AS AMENDED

Nonresident Alien Mexican Border-Crossing Cards

Part 41, Chapter I, Title 22 of the Code of Federal Regulations is being amended to authorize certain consular offices in Mexico to issue Mexican nonresident alien border-crossing cards.

Section 41.128 is added to read as follows:

§ 41.128 Nonresident alien Mexican border-crossing cards.

(a) *Aliens eligible to apply.* Under the conditions prescribed by this section, a consular officer other than one assigned to a consular office located in an area adjacent to the border between the United States and Mexico, may issue a border-crossing card, as that term is defined in section 101(a)(6) of the Act, to a nonimmigrant alien who satisfactorily establishes that he (1) is a citizen and resident of Mexico; and (2) is a bona fide temporary visitor and, if applying for a temporary visitors visa, he would be eligible to receive such visa; (3) will be entering the United States solely from contiguous territory.

(b) *Application for nonresident alien Mexican border-crossing card.* A citizen of Mexico shall apply on Form I-190 for a nonresident alien border-crossing card, supporting his application with evidence of Mexican citizenship and residence, a valid, unexpired Mexican passport and two photographs, one and one-half inches square. Each applicant applying at a consular office, except a child under 14 years of age, shall appear in person before a consular officer and be interrogated regarding his eligibility for a temporary visitors visa.

(c) *Validity.* Forms I-186 issued on or after September 15, 1965, are valid for a period of 4 years from date of issuance.

(d) *Voidance.* Forms I-186 may be declared void, without notice, by an officer authorized to issue such form and,

upon voidance, shall be surrendered immediately. Violations of the immigration laws or information developed regarding ineligibility to receive a visa shall be grounds for voidance by a consular officer.

(e) **Replacement.** If a nonresident alien border-crossing card has been lost, mutilated or destroyed, the person to whom such card was issued may apply for a new card in accordance with the provisions of this section.

(f) **Waiver of certain grounds of ineligibility.** The excluding provisions of section 212(a) (16) or (17) of the Act are waived pursuant to section 212(d) (3) for a citizen of Mexico who is an applicant for a nonresident alien border-crossing card and who establishes that he is ineligible only by reason of his removal or deportation prior to November 1, 1956, because of entry without inspection or lack of required documents.

Effective date: The regulations contained in this order shall become effective September 15, 1965.

The provisions of section 4 of the Administrative Procedure Act (60 Stat. 238; 5 U.S.C. 1003) relative to notice of proposed rule making and delayed effective date are inapplicable to this order because the regulations contained therein involve foreign affairs functions of the United States.

Dated: July 19, 1965.

CHARLES H. MACE,
Acting Administrator, Bureau of
Security and Consular Affairs,
Department of State.

[F.R. Doc. 65-8643; Filed, Aug. 16, 1965;
8:47 a.m.]

Title 26—INTERNAL REVENUE

Chapter I—Internal Revenue Service, Department of the Treasury

SUBCHAPTER D—MISCELLANEOUS EXCISE TAXES [T.D. 6847]

PART 48—MANUFACTURERS AND RETAILERS EXCISE TAXES

Refund of Retailers Excise Taxes Paid by Suppliers on Articles Held by Retailers on June 22, 1965

In order to authorize a credit or refund to a supplier for retailers excise taxes which he paid, or for which he incurred liability, with respect to articles held by retailers or certain other vendees on June 22, 1965 (the effective date of the repeal of certain retailers excise taxes), § 48.6011(c)-1 of the Manufacturers and Retailers Excise Tax Regulations (26 CFR Part 48) is amended by adding a new paragraph (h), to read as follows:

§ 48.6011(c)-1 **Return and payment of retailers excise taxes by suppliers.**

(h) **Effect of repeal of tax by Excise Tax Reduction Act of 1965.** (1) The

Excise Tax Reduction Act of 1965 repeals all retailers excise taxes imposed by chapter 31 of the Code (other than the tax imposed by section 4041 with respect to diesel fuel and special motor fuel) with respect to articles sold on or after June 22, 1965. Therefore, notwithstanding the provisions of any agreement entered into by a district director and a supplier pursuant to the provisions of section 6011(c) and this section, the supplier shall not be liable for a tax under chapter 31 of the Code upon an article which is covered by the agreement and which is supplied by the supplier on or after June 22, 1965. In addition, any tax paid or payable by the supplier on any such article supplied (whether by the supplier or any other person) before June 22, 1965, will be treated as an overpayment of tax giving rise to a claim for credit or refund, if—

(i) The article is held for sale on the first moment of June 22, 1965, by a retailer and has not been used, and

(ii) The supplier has either reimbursed the retailer for the amount of the tax or has obtained the written consent of the retailer to the allowance of the credit or refund to the supplier.

No interest shall be allowed with respect to any amount of tax credited or refunded as a result of this paragraph. Section 6416 shall not apply to any amount which is treated as an overpayment under this paragraph.

(2) For purposes of this paragraph, in the case of a type B agreement, the term "retailer" includes any person who holds the article unused for resale (for example, a wholesale distributor or jobber).

(3) An article is deemed to be held by a retailer as of the date of the invoice of such article to the retailer or, in the absence of an invoice, as of the date of the delivery of such article to the retailer or to the carrier for delivery to the retailer.

(4) (i) Evidence of articles held for sale as described in subparagraph (1) (i) of this paragraph must be in the form of an inventory statement which may be made by the supplier, retailer, or a duly authorized representative of either. Such inventory statement must be kept in the supplier's records and made available for inspection by internal revenue officers. The inventory statement shall set forth by type or size (or by some other suitable means of identification) the quantity of the articles which are covered by the agreement and held by the retailer as of the first moment of June 22, 1965. The person authorized to take the inventory must certify, under penalties of perjury, that to the best of his knowledge and belief the inventory statement is true and correct.

(ii) Either evidence that the supplier has reimbursed the retailer or the written consent of the retailer, as required by subparagraph (1) (ii) of this paragraph, must be kept in the supplier's records and made available for inspection by internal revenue officers. With respect to a reimbursement, such evidence must show the date, amount, and

manner of the reimbursement to the retailer. The reimbursement of the retailer may be made, at the supplier's option, in cash, by check, or by a credit to the retailer's account as maintained by the supplier. The amount which may be credited to such account may not exceed the undisputed debit balance due at the time the credit is made. However, reimbursement may be made, at the retailer's option (with the concurrence of the supplier), in merchandise.

(5) The supplier shall include on his return on Form 720 for the quarter ended June 30, 1965, his total tax liability incurred for such quarter under the section 6011(c) agreements, without reduction for any amounts treated as overpayments of tax under this paragraph. Either credit on a return on Form 720 or refund on Form 843, or a combination thereof, may be claimed for such overpayments. The credit taken on the return shall not exceed the amount of the total tax shown on the return, reduced by the amount of the depository receipts accompanying the return and other credits claimed on the return. A claim for credit or refund with respect to any article held by the retailer must be made within the period of limitations provided by section 6511(a). A supplier claiming a credit on Form 720 or a refund on Form 843 must attach to the return or refund claim a statement setting forth—

(i) That he has in his possession and available for inspection by internal revenue officers the evidence required by subparagraph (4) of this paragraph;

(ii) That the amount of tax for which the credit or refund is being claimed has either been paid or is reported on the return on which the credit is claimed;

(iii) That he has not and will not claim a credit or refund on another return or form for any amount of tax claimed on such Form 720 or Form 843; and

(iv) The amount and date of each previous or concurrent claim for credit or refund of amounts treated as overpayments under this paragraph and whether or not any future claims for refund are expected to be filed.

Because of the need for immediate guidance and final rules with respect to the credit or refund procedures authorized by this Treasury decision, it is found necessary to issue it without notice and public procedure thereon under section 4(a) of the Administrative Procedure Act, approved June 11, 1946, or subject to the effective date limitations of section 4(c) of that Act.

(Sec. 7805 of the Internal Revenue Code of 1954; 68A Stat. 917; 26 U.S.C. 7805)

[SEAL] SHELDON S. COHEN,
Commissioner of Internal Revenue.

Approved: August 10, 1965.

STANLEY S. SURREY,
Assistant Secretary of the
Treasury.

[F.R. Doc. 65-8521; Filed, Aug. 16, 1965;
8:45 a.m.]

Title 43—PUBLIC LANDS: INTERIOR

Chapter II—Bureau of Land Management, Department of the Interior

APPENDIX—PUBLIC LAND ORDERS

[Public Land Order 3763]

[Colorado 0111128]

COLORADO

Opening of Land Subject to Section 24 of the Federal Power Act

By virtue of the authority contained in section 24 of the Act of June 10, 1920 (41 Stat. 1075; 16 U.S.C. 818), as amended, and pursuant to the determination of the Federal Power Commission in DA-461-Colorado, it is ordered as follows:

Subject to valid existing rights, the provisions of existing withdrawals, and the requirements of applicable law, the public land in the following described area, withdrawn in Powersite Reserve No. 81 of July 2, 1910, shall at 10 a.m. on September 15, 1965, be open to such forms of disposition as may by law be made of unsurveyed land, subject to the provisions of section 24 of the Federal Power Act of June 10, 1920, supra:

SIXTH PRINCIPAL MERIDIAN

T. 4 S., R. 75 W.,
Sec. 21, NE ¼ (unsurveyed).

The tract described, including the public and nonpublic land, contains approximately 160 acres, in Clear Creek County.

Inquiries concerning the land should be addressed to the Manager, Land Office, Bureau of Land Management, Denver, Colo.

HARRY R. ANDERSON,
Assistant Secretary
of the Interior.

AUGUST 10, 1965.

[P.R. Doc. 65-8613; Filed, Aug. 16, 1965;
8:45 a.m.]

[Public Land Order 3764]

[Colorado 0120725]

COLORADO

Opening Lands Subject to Section 24 of the Federal Power Act

By virtue of the authority contained in section 24 of the Federal Power Act of June 10, 1920 (41 Stat. 1075; 16 U.S.C. 818), as amended, it is ordered as follows:

1. In DA-466-Colorado, the Federal Power Commission determined that the power values of the following-described lands, withdrawn by the Executive Order of February 17, 1912, establishing Powersite Reserve No. 244, will not be injured or destroyed by restoration to location, entry, or selection under appropriate public land laws, subject to the provisions of section 24 of the Federal Power Act:

SIXTH PRINCIPAL MERIDIAN, COLORADO

T. 2 S., R. 83 W.,
Sec. 8, lots 4 and 5.

The area described aggregates 59.80 acres in Eagle County.

2. Until 10 a.m. on February 9, 1966, the State of Colorado shall have a preferred right of application to select the public lands for school land indemnity purposes, as provided by R.S. 2276 as amended (43 U.S.C. 851, 852).

3. At 10 a.m. on February 9, 1966, the public lands shall be open to operation of the public land laws generally, subject to valid existing rights, the provisions of existing withdrawals, the requirements of applicable law, and subject to the provisions of section 24 of the Federal Power Act. All valid applications received at or prior to 10 a.m. on September 15, 1965, shall be considered as simultaneously filed at that time. Those filed thereafter shall be considered in the order of filing.

4. The lands have been open to applications and offers under the mineral leasing laws, and to location under the U.S. mining laws.

Inquiries concerning the lands should be addressed to the Manager, Land Office, Bureau of Land Management, Denver, Colo.

HARRY R. ANDERSON,
Assistant Secretary
of the Interior.

AUGUST 10, 1965.

[P.R. Doc. 65-8614; Filed, Aug. 16, 1965;
8:46 a.m.]

[Public Land Order 3765]

[Riverside 05703]

CALIFORNIA

Partly Revoking Reclamation Withdrawals (Colorado River Storage and Yuma Projects)

By virtue of the authority contained in section 3 of the Act of June 17, 1902 (32 Stat. 388; 43 U.S.C. 416), it is ordered as follows:

1. The Departmental Orders of June 4, 1930 and April 2, 1909, withdrawing public lands for reclamation purposes, are hereby revoked so far as they affect the following-described lands:

SAN BERNARDINO MERIDIAN

T. 12 S., R. 16 E.,

Sec. 4, SW ¼ NE ¼ SW ¼, NW ¼ SW ¼, NE ¼ SW ¼, NW ¼ SE ¼ SW ¼, E ¼ SE ¼ SW ¼, and SW ¼ SW ¼ SE ¼;

Sec. 10, W ¼ SW ¼ NW ¼, SE ¼ SW ¼ NW ¼, SW ¼ SE ¼ NW ¼, NE ¼ NW ¼ SW ¼, NW ¼ NE ¼ SW ¼, E ¼ NE ¼ SW ¼, SW ¼ NW ¼ SE ¼, N ¼ SW ¼ SE ¼, SE ¼ SW ¼ SE ¼, NW ¼ SE ¼ SE ¼, and S ¼ SE ¼ SE ¼.

Aggregating 250 acres in Imperial County.

The lands lie on a gently rolling alluvial fan composed of sand and gravel, and covered by sparse vegetation. Periodic sand storms occur in the area.

2. The State of California has waived its preferred right of application to select the lands as provided by R.S. 2276 as amended (43 U.S.C. 852). At 10 a.m. on September 15, 1965, the land shall become subject to application, petition,

location, and selection generally, subject to valid existing rights, the provisions of existing withdrawals, and the requirements of applicable law. All valid applications received at or prior to 10 a.m. on September 15, 1965, shall be considered as simultaneously filed at that time. Those filed thereafter shall be considered in the order of filing.

3. The lands have been open to applications and offers under the mineral leasing laws. They will be open to location under the U.S. mining laws after 10 a.m. on September 15, 1965.

Inquiries concerning the lands should be addressed to the Manager, Land and District Office, Bureau of Land Management, Riverside, Calif.

HARRY R. ANDERSON,
Assistant Secretary
of the Interior.

AUGUST 10, 1965.

[P.R. Doc. 65-8615; Filed, Aug. 16, 1965;
8:46 a.m.]

[Public Land Order 3766]

[New Mexico 0557202]

NEW MEXICO

Partly Revoking Public Water Reserve No. 107

By virtue of the authority vested in the President by section 1 of the Act of June 25, 1910 (36 Stat. 347; 43 U.S.C. 141), and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), it is ordered as follows:

1. The Executive Order of April 17, 1926, creating Public Water Reserve No. 107 is hereby revoked so far as it affects the following described land:

NEW MEXICO PRINCIPAL MERIDIAN

T. 15 S., R. 25 E.,
Sec. 21, SE ¼ SE ¼.

The area described contains 40 acres.

2. The land is located 4 miles west of Lake Arthur, N. Mex., in an area of low rolling to nearly level land. The elevation ranges from 3,450 to 3,470 feet with a northwest to southeast shallow drainage crossing the northeastern portion. Average annual rainfall is 12 inches. The soil is sandy loam and ranges from thin, with a caliche type base on the higher portions, to medium thick on the lower portions. The vegetative cover consists of a poor turf of native grasses, primarily burro and tobosa, with scattered creosote bush and yucca except for the east central portion which has a rather dense growth of mesquite 5 to 6 feet high. U.S. Highway No. 285 traverses the east end of the land.

3. At 10 a.m. on September 15, 1965, the land shall be open to the operation of the public land laws generally, subject to valid existing rights, the provisions of existing withdrawals, and the requirements of applicable law. All valid applications received at or prior to 10 a.m. on September 15, 1965, shall be considered as simultaneously filed at that time. Those filed thereafter shall be considered in the order of filing.

4. The land has been open to applications and offers under the mineral

leasing laws and to location under the general mining laws for metalliferous minerals. It will be open to location for nonmetalliferous minerals at 10 a.m. on September 15, 1965.

5. The State of New Mexico has waived the preference rights of application granted to certain States by R.S. 2276, as amended (43 U.S.C. 852).

Inquiries concerning the land shall be addressed to the Manager, Land Office, Post Office Box 1449, Santa Fe, N. Mex.

HARRY R. ANDERSON,
Assistant Secretary
of the Interior.

AUGUST 10, 1965.

[P.R. Doc. 65-8616; Filed, Aug. 16, 1965;
8:46 a.m.]

[Public Land Order 3767]

[Colorado 09227]

COLORADO

Revocation of Public Land Order No. 1164 of June 13, 1955 (South Platte River Management Area)

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), it is ordered as follows:

1. Public Land Order No. 1164 of June 13, 1955, which withdrew the following-described lands in Colorado for the South Platte River Management Area, is hereby revoked:

SIXTH PRINCIPAL MERIDIAN

T. 10 N., R. 48 W.,
Sec. 2, NE $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$.

The areas described contained 120 acres.

The lands are in Logan County, about 7 miles southeast of Crook, Colo. Elevation is 3,900 feet. Topography is moderately rolling. Sand Sage, blue gramma grass, and other grasses grow on the sandy loam soil.

2. Until 10 a.m. on February 9, 1966, the State of Colorado shall have a preferred right of application to select the land as provided by R.S. 2276 as amended (43 U.S.C. 852). After that date and hour, the lands shall be open to disposition under the public land laws generally, subject to valid existing rights, the provisions of existing withdrawals, and the requirements of applicable law. All valid applications received at or prior to 10 a.m. on September 15, 1965, shall be considered as simultaneously filed at that time. Those filed thereafter shall be considered in the order of filing.

The lands have been open to applications and offers under the mineral leasing laws. They will be open to location under the U.S. mining laws at 10 a.m. on February 9, 1966.

Inquiries concerning the lands should be addressed to the Manager, Land Office, Bureau of Land Management, Room 14023, Federal Building, 161 Stout Street, Denver, Colo., 80202.

HARRY R. ANDERSON,
Assistant Secretary
of the Interior.

AUGUST 10, 1965.

[P.R. Doc. 65-8617; Filed, Aug. 16, 1965;
8:46 a.m.]

[Public Land Order 3768]

[Anchorage 061579]

ALASKA

Partial Revocation of Public Land Order No. 576, Revocation of Public Land Order No. 724

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), it is ordered as follows:

1. Public Land Order No. 576 of March 29, 1949, as amended by Public Land Order No. 795 of January 23, 1952, withdrawing lands for various public purposes, and Public Land Order No. 724 of May 24, 1951, withdrawing lands for use of the Department of the Army for military purposes, are hereby revoked so far as they affect the following-described land:

ANCHORAGE

SEWARD MERIDIAN

T. 13 N., R. 3 W.,
Sec. 21, NE $\frac{1}{4}$ SE $\frac{1}{4}$.

Containing approximately 40 acres.

The land lies within the corporate limits of the city of Anchorage, Alaska.

2. Until 10 a.m. on November 10, 1965, the State of Alaska shall have a preferred right to select the land as provided by the Act of July 28, 1956 (70 Stat. 709; 48 U.S.C. 46-3b), section 6(g) of the Alaska Statehood Act of July 7, 1958 (72 Stat. 339), and the regulations in 43 CFR 2222.9.

3. This order shall not otherwise become effective to change the status of the land until 10 a.m. on November 10, 1965. At that time it shall be open to the operation of the public land laws generally, including the mining laws, subject to valid existing rights, the provisions of existing withdrawals, and the requirements of applicable law. All valid applications received at or prior to 10 a.m. on November 10, 1965, will be considered as simultaneously filed at that time. Those received thereafter will be considered in the order of filing.

Inquiries concerning the land should be addressed to the Manager, District and Land Office, Bureau of Land Management, Anchorage, Alaska.

HARRY R. ANDERSON,
Assistant Secretary
of the Interior.

AUGUST 10, 1965.

[P.R. Doc. 65-8618; Filed, Aug. 16, 1965;
8:46 a.m.]

[Public Land Order 3769]

[Colorado 0125415-6]

COLORADO

Withdrawal for National Forest Recreation Area, Partly Revoking Public Land Order No. 1510 of September 17, 1957

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), it is ordered as follows:

1. Subject to valid existing rights, the following described national forest lands which are under the jurisdiction of the

Secretary of Agriculture, are hereby withdrawn from appropriation under the U.S. mining laws (Ch. 2, Title 30, U.S.C.), but not from leasing under the mineral leasing laws, in aid of programs of the Department of Agriculture:

NEW MEXICO PRINCIPAL MERIDIAN

Grater Creek Campground

Tps. 39 N., and 40 N., R. 8 W. (unsurveyed). Beginning at the junction of Lime Creek and Grater Creek, from the initial point:

West, 10 chains; South, 100 chains; East, 20 chains; North, 40 chains; East, 20 chains; North, 40 chains; West, 20 chains; North, 20 chains; West, 10 chains to the place of beginning.

The tract as described contains 280 acres in San Juan County, and in terms of the public land surveys may be described by protraction as:

T. 39 N., R. 8 W.,
Sec. 3, W $\frac{1}{2}$ NW $\frac{1}{4}$;
Sec. 4, E $\frac{1}{2}$ E $\frac{1}{2}$;
T. 40 N., R. 8 W.,
Sec. 33, SE $\frac{1}{4}$ SE $\frac{1}{4}$.

2. The withdrawal made by this order does not alter the applicability of those public land laws governing the use of the national forest lands under lease, license, or permit, or governing the disposal of their mineral and vegetative resources other than under the mining laws.

3. Public Land Order No. 1510 of September 17, 1957, reserving lands in the San Juan National Forest for use of the Forest Service as recreation areas, is hereby revoked so far as it affects the following described lands:

NEW MEXICO PRINCIPAL MERIDIAN

Lime Creek Campground

T. 40 N., R. 8 W.,
Sec. 33, SE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$,
NE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$.

The areas described aggregate 40 acres.

4. At 10 a.m. on September 15, 1965, the lands described in paragraph 3 shall be open to such forms of disposition as may by law be made of national forest lands.

HARRY R. ANDERSON,
Assistant Secretary
of the Interior.

AUGUST 10, 1965.

[P.R. Doc. 65-8619; Filed, Aug. 16, 1965;
8:46 a.m.]

[Public Land Order 3770]

[Sacramento 079264]

CALIFORNIA

Powersite Cancellation No. 225; Partly Cancelling Powersite Classification No. 425

By virtue of the authority vested in the President by section 1 of the Act of June 25, 1910 (36 Stat. 847; 43 U.S.C. 141), and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), and by virtue of the authority contained in the Act of March 3, 1879 (20 Stat. 394; 43 U.S.C. 31), and 1950 Reorganization Plan No. 3 (64 Stat. 1262; 5 U.S.C. 1332-15, note), and in section 24 of the Act of June 10, 1920 (41 Stat. 1075; 16 U.S.C. 818), as amended, and pursuant to the determination of the Federal Power

Commission, docketed as DA-1045-California, it is ordered as follows:

1. The Departmental Order of June 24, 1952, creating Powersite Classification No. 425, is hereby revoked so far as it affects the following-described lands:

MOUNT DIABLO MERIDIAN

T. 24 N., R. 9 E.,
Sec. 12, W $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, and NW $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 13, NW $\frac{1}{4}$ NW $\frac{1}{4}$.
T. 24 N., R. 10 E.,
Sec. 5, lot 4, SW $\frac{1}{4}$ NW $\frac{1}{4}$, and W $\frac{1}{2}$ SW $\frac{1}{4}$;
Sec. 6, lots 1, 3, and 4, SE $\frac{1}{4}$ NE $\frac{1}{4}$, and N $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 8, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, and E $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 9, W $\frac{1}{2}$ SW $\frac{1}{4}$, and SE $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 15, W $\frac{1}{2}$ SW $\frac{1}{4}$, and SE $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 16, W $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$, and SE $\frac{1}{4}$;
Sec. 17, SE $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, and NE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 19, lot 1 (now lots 8 to 22, inclusive), lot 2, E $\frac{1}{2}$ NW $\frac{1}{4}$, and S $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 22, W $\frac{1}{2}$ NE $\frac{1}{4}$ (now lots 2 and 3), SE $\frac{1}{4}$ NE $\frac{1}{4}$ (now lot 4), NE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, and SE $\frac{1}{4}$ (now lots 5 to 8, inclusive);
Sec. 23, NE $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$, and SW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 26, N $\frac{1}{2}$ NW $\frac{1}{4}$.
T. 25 N., R. 10 E.,
Sec. 31, lots 2, 3, and 4, S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$, and SE $\frac{1}{4}$;
Sec. 32, SW $\frac{1}{4}$ NW $\frac{1}{4}$, and W $\frac{1}{2}$ SW $\frac{1}{4}$.

The areas described, including both nonpublic and national forest lands, aggregate 3,403.49 acres. The W $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, and NW $\frac{1}{4}$ SE $\frac{1}{4}$ sec. 12, NW $\frac{1}{4}$ NW $\frac{1}{4}$ sec. 13, T. 24 N., R. 9 E., M.D.M.; and W $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, and S $\frac{1}{2}$ sec. 16, N $\frac{1}{2}$ NW $\frac{1}{4}$, and SW $\frac{1}{4}$ NW $\frac{1}{4}$ sec. 17, SE $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, and NE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ sec. 19, and SE $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ sec. 26, T. 24 N., R. 10 E., M.D.M., are the nonpublic lands. The national forest lands are in the Plumas National Forest. Portions of some of the national forest lands are withdrawn for national forest roadside zone purposes.

2. At 10 a.m. on September 15, 1965, the national forest lands shall be open to such forms of disposition as may by law be made of such lands, subject to existing withdrawals.

HARRY R. ANDERSON,
Assistant Secretary
of the Interior.

AUGUST 10, 1965.

[F.R. Doc. 65-8620; Filed, Aug. 16, 1965; 8:46 a.m.]

[Public Land Order 3771]

[Sacramento 079494]

CALIFORNIA

Revoking Executive Order No. 1597, and Certain Departmental Orders

By virtue of the authority vested in the Secretary of the Interior by section 10 of the Act of December 29, 1916 (36 Stat. 865; 43 U.S.C. 300), as amended, and by virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), it is ordered as follows:

1. Executive Order No. 1597 of September 2, 1912, and Departmental Orders of September 18, 1906, February 23, 1907, May 6, 1907, May 15, 1907, December 29, 1908, and September 13, 1918, which withdrew lands for use by the Forest Service in the administration of the national forests are hereby revoked as far as they affect the following described lands.

CALIFORNIA

MOUNT DIABLO MERIDIAN

Stock Driveway Withdrawal No. 38, Departmental Order September 13, 1918.

T. 44 N., R. 5 E.,
Sec. 1, S $\frac{1}{2}$.
T. 44 N., R. 6 E.,
Sec. 5, lots 1 through 4, and S $\frac{1}{2}$ N $\frac{1}{2}$ (N $\frac{1}{2}$);
Sec. 6, lots 5 and 6, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, and N $\frac{1}{2}$ SE $\frac{1}{4}$ (S $\frac{1}{2}$ N $\frac{1}{2}$ and N $\frac{1}{2}$ S $\frac{1}{2}$).
T. 45 N., R. 6 E.,
Sec. 33, SW $\frac{1}{4}$.

Boles Spring Station. Departmental Order May 15, 1907.

T. 45 N., R. 10 E.,
Sec. 11, SW $\frac{1}{4}$ NW $\frac{1}{4}$, and NW $\frac{1}{4}$ SW $\frac{1}{4}$.

Fitzhugh Spring Site. Departmental Order December 29, 1908.

T. 41 N., R. 14 E.,
Sec. 3, lots 3 and 4, and S $\frac{1}{2}$ NW $\frac{1}{4}$ (NW $\frac{1}{4}$).

Fitzhugh Springs Addition Administrative Site. Executive Order No. 1597, September 2, 1912.

T. 41 N., R. 14 E.,
Sec. 4, lot 1, and SE $\frac{1}{4}$ NE $\frac{1}{4}$.

Station No. 5. Departmental Order September 18, 1906.

T. 39 N., R. 15 E.,
Sec. 4, lot 4 (NW $\frac{1}{4}$ NW $\frac{1}{4}$);
Sec. 5, lot 1 (NE $\frac{1}{4}$ NE $\frac{1}{4}$).

Mill Creek Meadows Station. Departmental Order February 23, 1907.

T. 40 N., R. 15 E.,
Por. of unsurveyed secs. 2, 10, and 11 described by metes and bounds in Dept. Order of Feb. 23, 1907, containing 45 acres within the then Warner Mountain Forest Reserve.

Mason Creek Station. Departmental Order May 6, 1907.

T. 46 N., R. 15 E.,
Sec. 17, SW $\frac{1}{4}$ SE $\frac{1}{4}$.
Spring Branch Station.
Sec. 17, SE $\frac{1}{4}$ NW $\frac{1}{4}$.

The areas described aggregate approximately 1,650.26 acres of Modoc National Forest and public lands in Modoc County, of which lot 1, and SE $\frac{1}{4}$ NE $\frac{1}{4}$, sec. 4, T. 41 N., R. 14 E., are the public lands.

2. At 10 a.m. on September 15, 1965, the national forest lands described shall be open to such forms of disposition as may by law be made of national forest lands.

3. Until 10 a.m. on February 9, 1966, the State of California shall have a preferred right of application to select the land outside the Modoc National Forest, as provided by section 2276(c) of the Revised Statutes as amended by the Act of August 27, 1958 (72 Stat. 928; 43 U.S.C. 852(c)). On and after that date and hour the land shall become subject to application, petition, and selection generally, subject to valid existing rights, the provisions of existing withdrawals, and the requirement of applicable laws.

All valid applications except preference right applications from the State received at or prior to 10 a.m. on September 15, 1965, shall be considered as simultaneously filed at that time. Those filed thereafter shall be considered in the order of filing.

4. Some of the lands have been opened to applications and offers under the mineral leasing laws. Those not already open will be subject to application and offers under the mineral leasing laws at 10 a.m. on February 9, 1966. All lands in this order will be open to location under the U.S. mining laws (Ch. 2, Title 30 U.S.C.), at 10 a.m. on February 9, 1966.

Inquiries concerning the lands should be addressed to the Manager, Land Office, Bureau of Land Management, Room 4201, U.S. Courthouse and Federal Building, Sacramento, Calif., 95814.

HARRY R. ANDERSON,
Assistant Secretary
of the Interior.

AUGUST 10, 1965.

[F.R. Doc. 65-8621; Filed, Aug. 16, 1965; 8:46 a.m.]

[Public Land Order 3772]

[Colorado 07761, 010009]

COLORADO

Revocation and Partial Revocation of Withdrawals for Atomic Energy Commission

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), it is ordered as follows:

1. Public Land Orders No. 1135 of April 20, 1955, and No. 1495 of September 9, 1957, which withdrew lands for the Atomic Energy Commission, are hereby revoked so far as they affect the following described lands:

SIXTH PRINCIPAL MERIDIAN

Revocation of Public Land Order No. 1135.
T. 9 S., R. 102 W.,
Sec. 18, lot 1.

NEW MEXICO PRINCIPAL MERIDIAN

Revocation of Public Land Order No. 1495 in part.

T. 43 N., R. 19 W.,
Sec. 36, W $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$.

The areas described aggregate 46.9 acres.

The lands in T. 9 S., R. 102 W., are in Mesa County near Grand Junction. The lands in T. 43 N., R. 19 W., are in San Miguel County.

2. Until 10 a.m. on February 9, 1966, the State of Colorado shall have a preferred right of application to select the lands as provided by R.S. 2276 as amended (43 U.S.C. 852). On and after that date and hour, the lands shall be open to disposition under the public land laws generally, including the mining and mineral leasing laws, subject to valid existing rights, the provisions of existing withdrawals, and the requirements of applicable law. All valid applications received at or prior to 10 a.m. on September 15, 1965, shall be considered as simultaneously filed at that time. Those received thereafter shall be considered in the order of filing.

Inquiries concerning the lands should be addressed to the Manager, Land Office, Bureau of Land Management, Room 14023, Federal Building, 1961 Stout Street, Denver, Colo., 80202.

HARRY R. ANDERSON,
Assistant Secretary
of the Interior.

AUGUST 10, 1965.

[P.R. Doc. 65-8622; Filed, Aug. 16, 1965;
8:46 a.m.]

[Public Land Order 3773]

[Anchorage 062252]

ALASKA

Partly Revoking Public Land Order No. 797 of January 25, 1952

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831) it is ordered as follows:

1. Public Land Order No. 797 of January 25, 1952, which excluded lands from the Chugach National Forest, is hereby revoked so far as it re-withdrew, in paragraph 2 (a) and (c) of the order the following described lands:

TURNAGAIN ARM AREA

A strip of land lying between the shore of Turnagain Arm and the south right-of-way line of the Alaska Railroad, from Mile Post 71 to the crossing of the Anchorage-Seward road, west of Girdwood, and between the shore of Turnagain Arm and the south right-of-way line of the Anchorage-Seward road from said intersection to a point opposite Mile Post 90 on the Alaska Railroad.

The area described aggregates approximately 2,802 acres.

2. Until 10 a.m. on November 10, 1965, the State of Alaska shall have a preferred right to select the lands released from withdrawal by this order in accordance with the Act of July 28, 1956 (70 Stat. 709; 48 U.S.C. 46-3b), section 6(g) of the Alaska Statehood Act of July 7, 1958 (72 Stat. 339) and the regulations in 43 CFR 2222.9 (formerly 43 CFR Part 76).

3. This order shall not otherwise become effective to change the status of the lands until 10 a.m. on November 10, 1965. At that time they shall be open to the operation of the public land laws generally, subject to valid existing rights, the provisions of existing withdrawals, and the requirements of applicable laws. All valid applications received at or prior to 10 a.m. on September 15, 1965, shall be considered as being simultaneously filed at that time. Those received thereafter shall be considered in the order of filing.

4. The lands have been opened to applications and offers under the mineral leasing laws. They will be open to location under the United States mining laws at 10 a.m. on November 10, 1965.

Inquiries concerning the lands should be addressed to the Manager, Anchorage District and Land Office, Bureau of Land Management, Anchorage, Alaska.

HARRY R. ANDERSON,
Assistant Secretary
of the Interior.

AUGUST 10, 1965.

[P.R. Doc. 65-8623; Filed, Aug. 16, 1965;
8:46 a.m.]

[Public Land Order 3774]

[Montana 069985-SD]

SOUTH DAKOTA

Partial Revocation of Administrative Site Withdrawals (Black Hills National Forest)

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), it is ordered as follows:

Public Land Orders No. 1168 of June 15, 1955; 1344 of October 10, 1956; 1430 of June 5, 1957; 1744 of October 7, 1958; 2165 of July 21, 1960; and 2285 of February 28, 1961, withdrawing lands in the Black Hills National Forest, are hereby revoked so far as they affect the following described lands:

BLACK HILLS NATIONAL FOREST

BLACK HILLS MERIDIAN

Pactola Reservoir Recreation Area

T. 1 N., R. 5 E.,
Sec. 5, E $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$;
Sec. 6, NE $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 8, W $\frac{1}{2}$.
T. 2 N., R. 5 E.,
Sec. 30, SE $\frac{1}{4}$.

Elk Creek Picnic Ground

T. 4 N., R. 5 E.,
Sec. 26, NW $\frac{1}{4}$ NE $\frac{1}{4}$.

Icebox Canyon Picnic Ground

T. 4 N., R. 2 E.,
Sec. 23, N $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$.

O'Neill Recreation Area

T. 3 N., R. 1 E.,
Sec. 21, NW $\frac{1}{4}$ SE $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$.

Crows Nest Lookout Administrative Site

T. 1 N., R. 1 E.,
Sec. 11, SW $\frac{1}{4}$ SE $\frac{1}{4}$.

Castle Peak Lookout

T. 2 N., R. 3 E.,
Sec. 35, NW $\frac{1}{4}$ SE $\frac{1}{4}$.

Custer Peak Lookout

T. 3 N., R. 3 E.,
Sec. 3, SW $\frac{1}{4}$ SE $\frac{1}{4}$.

The areas described aggregate about 1,120 acres.

2. At 10 a.m. on September 15, 1965, the lands shall be open to such forms of disposition as may by law be made of national forest lands.

HARRY R. ANDERSON,
Assistant Secretary
of the Interior.

AUGUST 10, 1965.

[P.R. Doc. 65-8624; Filed, Aug. 16, 1965;
8:46 a.m.]

[Public Land Order 3775]

[Wyoming 0317438]

WYOMING

Withdrawal for Department of Air Force

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), it is ordered as follows:

1. Subject to valid existing rights, those public lands which are under juris-

diction of the Secretary of the Interior, aggregating about 2.93 acres, as described by metes and bounds in Federal Register Document No. 65-6254, published in 30 F.R. 7764-5 of the issue of June 16, 1965, are hereby withdrawn from all forms of appropriation under the public land laws, including the mining laws (Ch. 2, 30 U.S.C.), but not from leasing under the mineral leasing laws, and reserved for Department of the Air Force weather station. The lands are in the following legal subdivisions:

SIXTH PRINCIPAL MERIDIAN

T. 32 N., R. 107 W.,
Sec. 1, NE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 2, lots 1 and 2 and SW $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 3, S $\frac{1}{2}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ N $\frac{1}{2}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ E $\frac{1}{2}$ SE $\frac{1}{4}$.

2. The withdrawal made by this order does not alter the applicability of the public land laws governing the use of the lands under lease, license, or permit, or governing the disposal of their mineral or vegetative resources other than under the mining laws.

HARRY R. ANDERSON,
Assistant Secretary
of the Interior.

AUGUST 10, 1965.

[P.R. Doc. 65-8625; Filed, Aug. 16, 1965;
8:46 a.m.]

[Public Land Order 3776]

[Anchorage 062396]

ALASKA

Withdrawal for Forest Service Administrative Site

By virtue of the authority vested in the President, and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), it is ordered as follows:

1. The following-described national forest lands in the Tongass National Forest are hereby withdrawn from appropriation under the mining laws of the United States (Ch. 2, Title 30 U.S.C.), in aid of programs of the Department of Agriculture:

PRINCE OF WALES ISLAND

MAYRISO EXPERIMENTAL FOREST

Beginning at Corner No. 1, a point at mean high tide, approximately 69.80 chains N. 57° W. from USC & G triangulation station FLEA, at approximate latitude 55°28'39" N., and approximate longitude 132°37'00" W.; thence N. 9°25' W., 36.0 chains to Corner No. 2; N. 88°15' W., 10.10 chains to Corner No. 3; S. 10°20' W., 23.36 chains to Corner No. 4, a point at mean high tide; thence with the meanders of mean high tide, and around a small unnamed island connected to the mainland by a filled roadway to the point of beginning.

The area described contains approximately 91 acres.

2. The withdrawal made by this order does not alter the applicability of those public land laws governing the use of the national forest lands under lease, license, or permit, or governing the disposal of their mineral or vegetative resources other than under the mining laws.

HARRY R. ANDERSON,
Assistant Secretary
of the Interior.

AUGUST 10, 1965.

[P.R. Doc. 65-8626; Filed, Aug. 16, 1965;
8:46 a.m.]

[Public Land Order 3777]

[Wyoming 094183]

WYOMING

Withdrawals for National Forest Recreation Areas

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), it is ordered as follows:

1. Subject to valid existing rights the following-described national forest lands in the Medicine Bow National Forest, are hereby withdrawn from appropriation under the U.S. mining laws (Ch. 2, Title 30, U.S.C.), in aid of programs of the Department of Agriculture:

SIXTH PRINCIPAL MERIDIAN

Evans Creek Picnic Ground

T. 13 N., R. 78 W.,
Sec. 27, SW $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$, and NW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$;
Sec. 28, SE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$, and NE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$.

Pelton Creek Campground

T. 13 N., R. 79 W.,
Sec. 19, S $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 30, N $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$.

Beaver Meadows Campground

T. 14 N., R. 79 W.,
Sec. 3, lots 1 and 2, W $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, and NW $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$;
T. 15 N., R. 79 W.,
Sec. 34, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$, and SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 35, NW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$, and SW $\frac{1}{4}$.

Holmes Campground

T. 14 N., R. 79 W.,
Sec. 4, lot 2.
T. 15 N., R. 79 W.,
Sec. 33, S $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$.

The areas described aggregate 651.98 acres.

2. The withdrawal made by this order does not alter the applicability of those public land laws governing the use of the national forest lands under lease, license, or permit, or governing the disposal of their mineral or vegetative resources other than under the mining laws.

HARRY R. ANDERSON,
Assistant Secretary
of the Interior.

AUGUST 10, 1965.

[F.R. Doc. 65-8627; Filed, Aug. 16, 1965; 8:46 a.m.]

[Public Land Order 3778]

[Wyoming 0315010]

WYOMING

Partial Revocation of Public Water Reserve

By virtue of the authority vested in the President by section 1 of the Act of June 25, 1910 (36 Stat. 847; 43 U.S.C. 141), and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), it is ordered as follows:

The Executive Order of April 19, 1912, creating Public Water Reserve No. 2, Wyoming No. 1, as modified by the Ex-

ecutive Order of June 29, 1917, is hereby revoked so far as it affects the following described land:

SIXTH PRINCIPAL MERIDIAN

T. 14 N., R. 89 W.,
Sec. 10, NW $\frac{1}{4}$ NW $\frac{1}{4}$.

Containing approximately 40 acres, in Carbon County. The land is nonpublic.

HARRY R. ANDERSON,
Assistant Secretary
of the Interior.

AUGUST 10, 1965.

[F.R. Doc. 65-8628; Filed, Aug. 16, 1965; 8:46 a.m.]

[Public Land Order 3779]

[Riverside 05809]

CALIFORNIA

Reservation of Lands for Isabella Reservoir Project

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), it is ordered as follows:

1. Subject to valid existing rights, those three parcels of public lands, aggregating approximately 1.5 acres, located in the E $\frac{1}{2}$ of sec. 20 and the S $\frac{1}{2}$ NW $\frac{1}{4}$ of sec. 21, T. 26 S., R. 33 E., Mount Diablo Meridian, as particularly described in notice of proposed withdrawal published as F.R. Doc. 64-12861 of the issue of December 10, 1964 (29 F.R. 16937), are hereby reserved for the Department of the Army for uses in connection with the Isabella Reservoir Project.

2. It is intended by this order to transfer jurisdiction over the lands to the Department of the Army without limiting the operation of the public land laws. However, no disposals of mineral or vegetative resources will be made nor leases, licenses, or permits issued, unless the Department of the Army finds that the proposed use will not interfere with its uses, or the uses of those claiming under it.

HARRY R. ANDERSON,
Assistant Secretary
of the Interior.

AUGUST 10, 1965.

[F.R. Doc. 65-8629; Filed, Aug. 16, 1965; 8:46 a.m.]

[Public Land Order 3780]

ALASKA

Modifying Public Land Orders No. 1769, and No. 1571, as Amended by No. 1851

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), it is ordered as follows:

Public Land Orders No. 1571 of December 26, 1957, as amended by Public Land Order No. 1851 of May 14, 1959, and No. 1769 of December 16, 1958, reserving lands for use of the Department of the Air Force for military purposes are hereby modified by substituting "Department of the Navy" for "Department of the Air Force" and "national defense

purposes" for "military purposes", wherever they appear, insofar as the following areas are concerned:

Public Land Order No. 1571 as amended by No. 1851 (Fairbanks 012715): at Cape Simpson—229 acres; at Cape Sabine—431 acres; at Peard Bay—1,460 acres; at Point McIntyre—1,100 acres; at Kogru River—790 acres; at Icy Cape (Parcels 1 and 2)—218 acres.

Public Land Order No. 1769 (Fairbanks 015197): Camden Bay Area—Arctic Coast—456 acres (Fairbanks 015198): Beaufort Lagoon Area—Beaufort Coast—420 acres.

HARRY R. ANDERSON,
Assistant Secretary
of the Interior.

AUGUST 10, 1965.

[F.R. Doc. 65-8630; Filed, Aug. 16, 1965; 8:46 a.m.]

[Public Land Order 3781]

[New Mexico 0556017, 0556018, 0556023]

NEW MEXICO

Addition to Cibola National Forest

By virtue of the authority contained in the Act of July 9, 1962 (76 Stat. 149; 43 U.S.C. 315g-1), it is ordered as follows:

Subject to existing valid rights, the following described lands, acquired by the United States in exchanges made pursuant to section 8 of the Taylor Grazing Act of June 28, 1934 (48 Stat. 1273; 43 U.S.C. 315g), as amended, are hereby added to and made a part of the Cibola National Forest and shall hereafter be subject to all laws and regulations applicable to such national forest:

NEW MEXICO PRINCIPAL MERIDIAN

T. 10 N., R. 11 W.,
Sec. 4, lots 1, 2, and E $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$;
Secs. 9, 21, 23, 24, 25, 26, and 27;
Sec. 28, N $\frac{1}{2}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, and SE $\frac{1}{4}$;
Sec. 29;
Sec. 31, NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, and SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 33;
Sec. 34, N $\frac{1}{2}$, and SW $\frac{1}{4}$.

The area described contains 7,140.80 acres in Valencia County.

HARRY R. ANDERSON,
Assistant Secretary
of the Interior.

AUGUST 10, 1965.

[F.R. Doc. 65-8631; Filed, Aug. 16, 1965; 8:46 a.m.]

[Public Land Order 3782]

[New Mexico 1402175, 1500537, 1506078]

NEW MEXICO

Modifying Certain Executive Orders

By virtue of the authority vested in the President by section 1 of the Act of June 25, 1910 (36 Stat. 847; 43 U.S.C. 141), and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), it is ordered as follows:

The Executive Orders No. 6143 of May 23, 1933; No. 6276 of September 8, 1933; and No. 6583 of February 3, 1934, withdrawing lands to enable the State of New Mexico to make exchange selections as provided by the Act of June 15, 1926 (44 Stat. 746-748), are hereby modified to the

extent necessary to permit State exchanges as provided by section 8 of the Act of June 28, 1934 (48 Stat. 1272; 43 U.S.C. 315-g), as amended.

HARRY R. ANDERSON,
Assistant Secretary
of the Interior.

AUGUST 10, 1965.

[P.R. Doc. 65-8632; Filed, Aug. 16, 1965;
8:46 a.m.]

[Public Land Order 3783]

[Utah 0115867]

UTAH

Withdrawal for Jordanelle Dam and Reservoir (Central Utah Project)

By virtue of the authority contained in section 3 of the Act of June 17, 1902 (32 Stat. 389; 43 U.S.C. 416), as amended and supplemented, and in the Act of April 11, 1956 (70 Stat. 105), it is ordered as follows:

Subject to valid existing rights, the following-described public lands, which are under the jurisdiction of the Secretary of the Interior, are hereby withdrawn from all forms of appropriation under the public land laws, including the mining laws (Ch. 2, Title 30, U.S.C.), but not from leasing under the mineral leasing laws, and reserved for the Jordanelle Dam and Reservoir:

SALT LAKE MERIDIAN

T. 3 S., R. 4 E.,

Sec. 1, lots 1 to 4, inclusive, S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, and SE $\frac{1}{4}$ SE $\frac{1}{4}$.

T. 2 S., R. 5 E.,

Sec. 20, NE $\frac{1}{4}$ NW $\frac{1}{4}$;
Sec. 31, SE $\frac{1}{4}$ NW $\frac{1}{4}$.

The areas described aggregate 526.89 acres in Wasatch County.

HARRY R. ANDERSON,
Assistant Secretary
of the Interior.

AUGUST 10, 1965.

[P.R. Doc. 65-8633; Filed, Aug. 16, 1965;
8:46 a.m.]

[Public Land Order 3784]

[Misc. 2017855]

[Anchorage 042044]

ALASKA

Amendment of Public Land Orders No. 309 and 1861

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), it is ordered as follows:

1. The land description of the areas withdrawn by Public Land Order No. 1861 of May 26, 1959 (24 F.R. 4488), as amended by Public Land Order No. 2011 of October 15, 1959 (24 F.R. 8499), for use of the National Park Service as an administrative site in connection with administration of the Katmai National Monument, is amended to read:

No. 158—3

KING SALMON AREA

U.S. Survey No. 4688.
Lots 3 and 4.

Containing 11.43 acres.

2. The land description of Public Land Order No. 309 of January 5, 1946 (11 F.R. 533) withdrawing lands for use of the Fish and Wildlife Service, is amended to read:

U.S. Survey No. 4688.
Lot 2.

Containing 20.79 acres.

HARRY R. ANDERSON,
Assistant Secretary
of the Interior.

AUGUST 10, 1965.

[P.R. Doc. 65-8634; Filed, Aug. 16, 1965;
8:46 a.m.]

[Public Land Order 3785]

[Arizona 034428]

ARIZONA

Addition to Sitgreaves National Forest

By virtue of the authority contained in the Act of July 9, 1962 (76 Stat. 140; 43 U.S.C. 315g-1), and upon recommendation of the Secretary of Agriculture, it is ordered as follows:

Subject to valid existing rights the following-described lands, acquired in an exchange made pursuant to section 8 of the Taylor Grazing Act of June 28, 1934 (48 Stat. 1272; 43 U.S.C. 315g), as amended, are hereby added to and made a part of the Sitgreaves National Forest and hereafter shall be subject to all laws and regulations applicable to said national forest:

GILA AND SALT RIVER MERIDIAN

T. 9 N., R. 22 E.,

Sec. 2, SW $\frac{1}{4}$;

Sec. 3, E $\frac{1}{2}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, and W $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$;

Sec. 11, E $\frac{1}{2}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, and NE $\frac{1}{4}$ SE $\frac{1}{4}$.

The areas described aggregate approximately 560 acres, in Navajo County.

HARRY R. ANDERSON,
Assistant Secretary
of the Interior.

AUGUST 10, 1965.

[P.R. Doc. 65-8635; Filed, Aug. 16, 1965;
8:46 a.m.]

[Public Land Order 3786]

[Wyoming 0311781 (Nebr.)]

NEBRASKA

Correction of Public Land Order No. 3668

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), it is ordered as follows:

Public Land Order No. 3668 of June 10, 1965 (30 F.R. 7751), is hereby corrected in the following particulars:

1. By substituting "Nebraska" for "Wyoming," above the title of the order, as

the State wherein the lands are located.

2. By inserting "Sixth Principal Meridian" above the title "Toadstool Geologic Area", to designate the reference meridian to which the lands pertain.

HARRY R. ANDERSON,
Assistant Secretary
of the Interior.

AUGUST 10, 1965.

[P.R. Doc. 65-8636; Filed, Aug. 16, 1965;
8:46 a.m.]

Title 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

[Docket No. 13961; FCC 65-686]

PART 1—PRACTICE AND PROCEDURE

AM and FM Program Form

1. The Commission has before it for consideration the Fifth Notice of Further Proposed Rule Making released June 2, 1964, in the above-captioned matter, proposing new AM and FM program reporting forms for use in place of the present section IV as part of broadcast applications for renewal, assignment and transfer of control, and new stations and major changes in facilities (FCC 64-483), together with more than fifty comments filed in response thereto.¹ By a Fourth Notice of Proposed Rule Making we invited comments on another section IV for television. Adoption of that proposal is presently under consideration by the Commission.

2. We have also adopted today a First Report and Order in Docket No. 14187, amending our rules so as to require AM and FM stations to log the information they will need properly to complete section IV with which we are here concerned.

3. These proceedings were instituted by the Commission on February 21, 1961, with issuance of a notice of proposed rule making looking toward adoption of a new program reporting form for television and radio broadcast applicants.

4. After extensive comments and informal conferences with industry representatives and other interested parties, on July 7, 1961, the Commission issued a Notice of Further Proposed Rule Making proposing separate forms for television and for radio. By a Second Notice of Further Proposed Rule Making released December 20, 1963, we invited comments on another section IV for television. On January 28, 1964, a Third Notice of Further Proposed Rule Making was released inviting comments on a different form of section IV for AM and FM broadcasters.

5. Subsequently an ad hoc committee was formed consisting of a member of the Federal Communications Bar Association

¹ The total number of individuals who have expressed views in this matter, since its inception in 1961, far exceeds this number.

tion, broadcasters, a representative of the National Association of Broadcasters, and a Commission staff member, to recommend clarification and simplification of the form to the extent practicable. The Commission found that the committee's proposals in a number of respects represented an improvement over the proposal contained in the Third Notice.

6. On June 2, 1964, the Commission released its Fifth Notice of Further Proposed Rule Making incorporating many of the committee's recommendations.² Therein it was proposed to have two forms: one for renewal and the other for all other applications. On June 30, 1964, an en banc oral proceeding was held by the Commission to provide opportunity for direct presentation of views and comments. Seventeen witnesses appeared, including representatives of broadcast stations, religious organizations, and other interested parties.³

7. Subsequently, the proposed form was filled out on a test basis by six radio stations. After receiving their responses and comments an informal conference was held by the Commission's staff with most of the participants, other broadcasters and representatives of the FCBA. The views presented in these many meetings have also been considered in reaching our conclusions herein.

8. A number of comments included extensive constitutional, legal, and philosophical arguments concerning the role of this Commission and its duty, or lack of authority, in the field of programming. That these matters are serious and basic is evident. The Commission's views in the matter, however, have been set forth in some detail in its "Report and Statement of Policy Re: Commission En Banc Program Inquiry" (FCC 60-970, 25 F.R. 7291, 20 RR 1902, released July 29, 1960). Many of the arguments now presented have been disposed of in that report and other Commission pronouncements in this area. Suffice it to say here that the Commission finds the proposals adopted herein to be in accordance with its statutory duties and authority and warranted in the public interest.

9. The Commission, throughout this proceeding, has made every effort to accede to reasonable suggestions. It has been our intention to seek only information we deem necessary in fulfilling our statutory function and to do it with the least expense, inconvenience and burden to licensees and applicants.

²On April 24, 1964, after similar work by an ad hoc committee, a Fourth Notice of Further Proposed Rule Making was released proposing new television program reporting forms.

³The parties appearing at the en banc oral proceeding were as follows: National Association of Broadcasters; Station KVGB (Great Bend, Kans.); Michael H. Bader, Esq., on behalf of Meredith Broadcasting Co., et al.; Annapolis Broadcasting Co.; Mutual Broadcasting System; Virginia Association of Broadcasters; Texas Association of Broadcasters; National Council of Churches of Christ; United Church of Christ; United Presbyterian Church; South Carolina Broadcasters Association; Straus Broadcasting Group; Storer Broadcasting Co.; American Broadcasting Co.; Max D. Paglin, Esq., for various licensees; Robert M. Booth, Esq.; and Lauren A. Colby, Esq.

10. We do not propose to prolong this Report by discussing the positions taken and the suggestions made by the numerous parties who have participated in this proceeding. All have been considered and many of the objections contained in the comments and presented at the en banc oral proceeding and the informal meetings were found to have some merit and we have adopted many of the suggestions presented. We shall, however, discuss briefly some matters which we believe are essential to a thorough understanding of the form adopted herein.

11. At the outset we note that as a matter of procedural convenience and administrative judgment we have abandoned the contemplated adoption of two forms, one for renewal and another for all other applications. Study revealed that two separate forms would result in needless duplication. One form will be used for all AM and FM station applicants, with the instructions indicating which questions should be answered by each of the various types of applicants.

12. Applicants are also instructed that replies which relate to proposed future programming and commercial operation constitute representations on which the Commission relies. Such representations are not, of course, exact detailed statements of proposed day-to-day operations and literal adherence to them in that respect would neither be possible nor necessarily desirable. Because the proposals as to programming and commercial matter are representations relied upon by the Commission in determining whether grant of an application is in the public interest, licensees are given the responsibility to advise the Commission whenever substantial changes occur. It is not possible to define what would constitute a substantial change so that it may be applied in every case. This is a judgment to be made by the licensee in the exercise of sound discretion. It does not require that every departure from programming and commercial proposals is to be reported to the Commission. Obvious examples of the type of program format alteration which would be reported are a change in format from popular music and news to all talk or all news; or switching from an independent operation to affiliation with a network. Examples of the type of changes in commercial practices which should be reported are a station deciding as a matter of policy to increase the maximum percentage of commercial matter which it proposes to allow, or if the station determines that it is exceeding these proposed maximums approximately 10 percent of the time. If the type of change raises serious public interest questions, the licensee will be so advised and an inquiry may be made in order to ascertain complete details. However, silence on the part of the Commission is not to be construed as indicating that the Commission has passed on the matter. The station's performance in the public interest will be evaluated in any event at the time of next renewal.

13. To avoid any confusion resulting from the adoption of one form for all radio applicants it should be understood that applicants for major changes need not file this section IV unless a substan-

tial change in programming is proposed. Where an applicant for major change indicates that no substantial change in programming is proposed, the Commission at the time such application is reached for processing will determine whether the filing of program information is necessary and will request it in appropriate cases. To assist us in making the necessary public interest finding in assignments and transfer proceedings, we are requiring certain information from assignors and transferors as well as from assignees and transferees. It should be noted, however, that assignors and transferors need not answer any portion of section IV if the information required of such applicants has been filed with the Commission within 18 months prior to the filing of the application and it is referenced and identified.

14. Commission recognizes that there is wide disagreement over the details that should be required of an applicant in reporting on ascertainment of community needs and interests. There is general agreement, however, that an awareness of and a response to such needs is essential. Realistically, a question seeking such information can be phrased only in somewhat general terms. We believe that the question in the form (Question No. 1), reasonably interpreted, can be readily answered, provided good faith efforts have been made to ascertain needs; and that the question imposes no great burden.⁴ While the ultimate decision in regard to the presentation of programs is that of the licensee, certainly the Commission has an interest in how the licensee discovers the needs of his community and what he does to meet those needs. The Commission expects broadcast permittees and licensees to make a positive, diligent and continuing effort to provide a program schedule designed to serve the needs and interests of the public in areas served by the station. The efforts must include consultation with the general listening public, and with leaders in community life and professional and eleemosynary organizations. Report and Statement of Policy Re: Commission En Banc Programming Inquiry (FCC 60-970, 25 F.R. 7291, 20 RR 1902, released July 29, 1960).

15. The form proposed in the Fifth Notice (Question No. 18) asked for the amount of time devoted during the past composite week to news, public affairs, and all other programs exclusive of entertainment and sports. It was not specified whether or not this was to be inclusive or exclusive of commercial announcements or continuity occurring during or adjacent to the programs involved. It has been suggested that, to make computation easier, the gross amount of time (including such commercial material) should be used. However, on further analysis we are persuaded that the opposite is true, and that the amount of time should be computed excluding such material. This is necessary if a true picture of station operation is to be presented. We note,

⁴Records to support needs and interests representations shall be kept available for inspection by the Commission for 3 years. (Question 1—Note.)

for example, that many newscasts contain a large amount of commercial material, and for a station to show the gross figure including such material would be to overstate the extent of its news coverage. Therefore, Questions 3 and 14 of the new form (relating to past and future programming respectively) provide for computation only of time devoted to the subject of the program, excluding commercial matter.

16. In defining programs by type, the form divides programs basically into 8 categories ("A" through "H"), not greatly different from those formerly used except that (in response to numerous requests) a category of "Instructional" programs has been adopted, including programs of an instructional nature whether or not they are presented by or in cooperation with an educational institution (the requirement of the former "Educational" category). In addition, three other categories are listed ("I" through "K"), which include programs which fall within the first eight categories but which we believe should be further indicated separately. These are station editorials, political programs, and educational institution programs (the last-mentioned category being generally similar to the former "Educational" program classification). The Commission recognizes that the form does not contain questions which require information as to all program definition categories. Nevertheless we have decided to require all programs to be classified as it will facilitate examination of composite week logs by providing a record which can be readily analyzed.

17. It should also be noted that a "Local" program (Instruction, General Information and Definitions, paragraph 10(a)), is limited to those programs which the station originates, produces, or for the production of which the station is primarily responsible and employing live talent more than 50 percent of the time. It would only pertain where the station is actively involved in producing or originating the program, i.e., its studio or other facilities are used. Thus the definition would not include programs in which the station's sole relationship is one of financial support. Further, if two or more stations jointly participate in the production of a program, only the station which is primarily responsible for its production may classify it as local.

18. There is included in the form an optional question (Q. 3-B) which permits an applicant to supply certain programming information for a calendar month or longer. The Commission recognizes that applicants may not have complete information for network programs carried during such a period of time and it is not expected that the networks will supply it to affiliates. Accordingly if a response is made to this question it should clearly note those network programs for which the applicant is unable to supply the required information.

19. We have decided in Docket 14187 to make the effective date of the new logging requirements December 1, 1965 to give licensees time to prepare new forms and train staff in their use. It is recognized that a transition period will

necessarily exist between adoption of the new section IV and its actual use. The problem is caused quite simply by the requirement of additional information in the new section IV not heretofore required, and for which there was previously no logging requirement. We have decided to make section IV effective as to any application tendered on or after November 1, 1965, for a new AM-FM station and assignees and transferees. The section IV adopted herein will be used by assignors and transferors beginning December 1, 1966, and for any application for renewal of license which is due to be filed on or after November 1, 1966.

20. Authority for adoption of the changes herein is contained in section 4(i) and 303 and 307(d) of the Communications Act of 1934, as amended.

21. In view of the foregoing; *It is ordered*, That section IV of FCC Forms 301, 303, 314, and 315 is revised for AM and FM applications as set forth in the appendix hereto.*

22. *It is further ordered*, That the above revised Form shall be used for applications for new AM and FM facilities (or major changes in AM and FM facilities when required) tendered on or after November 1, 1965.

23. *It is further ordered*, That assignees and transferees shall use the above revised Form in applications tendered on or after November 1, 1965, and assignors and transferors shall use the above revised Form in applications tendered on or after December 1, 1966, except where they have filed a renewal application within the previous 18 months.

24. *It is further ordered*, That applications for renewal of AM and FM licenses which are due to be filed on or after November 1, 1966, shall use the above revised Form.

Adopted: July 27, 1965.

Released: August 12, 1965.

FEDERAL COMMUNICATIONS
COMMISSION,*

[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 65-8670; Filed, Aug. 16, 1965;
8:50 a.m.]

[Docket No. 14187; FCC 65-687]

PART 73—RADIO BROADCAST SERVICES

Program Logging Rules for AM and FM Broadcast Stations

1. The Commission has before it for consideration the notice of proposed rule making released July 7, 1961, in the above-captioned matter as it relates to amendment of § 3.112 (now § 73.112) and § 3.282 (now § 73.282), the program logging rules for AM and FM broadcast stations.

* Filed as part of the original document.

* Dissenting statements of Commissioners Hyde and Bartley, and concurring statements of Commissioners Cox and Loevinger filed as part of original document. Commissioner Wadsworth not participating.

2. In a companion rule making proceeding (Docket No. 13961) the Commission has considered amendment to section IV (Statement of Program Service) of AM and FM Broadcast Application Forms 301, 303, 314, and 315. The purpose of the instant proceeding is to insure that the information required by such forms is contained in the AM or FM station's program log. We have today adopted a program form for use with renewal and other AM and FM applications. The rules adopted herein are designed to provide the information which licensees will need in order to fill out this form.

3. Many comments have been filed in this proceeding since its inception in 1961. Informal conferences were held by the Commission staff with representatives of the Federal Communications Bar Association and the National Association of Broadcasters before this proceeding was inaugurated. On October 6, 1961, the Commission en banc held an informal meeting with the National Association of Broadcasters, which presented some 15 broadcasters who spoke on various aspects of the proposed program form and logging requirements.

4. Since this proposal was initiated the program form (Section IV—Statement of Program Service), to which the rules adopted here were proposed to relate, has undergone extensive revision. On October 15, 1964, the Commission staff held an informal meeting with four of the six broadcasters who had filled out the proposed form on a test basis, other broadcasters, Federal Communications Bar Association representatives, a representative of the National Association of Broadcasters and other industry representatives to discuss logging rules for AM and FM stations, which would provide the information required in the form as it had been revised.

5. All of the views which were expressed in the many informal meetings and the views and objections contained in the comments have been considered in reaching our conclusions herein. We have given particular attention to minimizing the burden and possible expense associated with any logging requirement by seeking only such information as we deem necessary to fulfill our statutory function.

6. As will be noted, the definitions used are in conformance with those in the Statement of Program Service (section IV) adopted in the First Report and Order in Docket 13961.

7. The separate logging of program segments, where appropriate, is permissible. Thus for example, a one-hour variety show which is primarily entertainment but also includes 5 minutes of news and 5 minutes of sports, may be logged as Entertainment (50 minutes), News (5 minutes) and Sports (5 minutes).

8. We have required that the time each program begins and ends be noted and that each program be classified as to type and source and identified by name or title.

9. For commercial announcements the Commission presents licensees the following alternatives:

(a) Showing the beginning time of each announcement and the duration; or

(b) Dividing the log into 15 minute segments beginning with the hour and specifying within each such segment the announcements carried therein and the duration of each announcement (the beginning time is not required if this alternative is used.)

An example of logging by 15-minute time segments would be:

9:00:
XYZ Soap (60 sec.).
XYZ Store (30 sec.).
9:15:
XYZ Soap (30 sec.).
XYZ Store (60 sec.).
9:30:

The essential element here is that the logs accurately identify the particular 15-minute time segment and contain information as to the duration. Duration of a recorded announcement shall be stated precisely. As to live announcements, inasmuch as the expected or planned duration of an oral announcement is generally prelogged, the entry shall be a reasonable approximation of the time actually consumed. It is not necessary, for example, to correct an entry of a 20-second commercial to accommodate varying reading speeds even though the actual time consumed might be a few seconds more or less than the scheduled amount. But reasonable precision is required and the licensee should realize that this requires adequate supervision of on-the-air personnel to make sure that time devoted to commercials does not deviate from time prelogged more than is necessary to accommodate different rates of speech.

10. It should also be noted that the Statement of Program Service (Question 23) requires commercial information computed on a clock-hour basis. The required program log entries (e.g., station identification) should provide this division. However, applicants are cautioned to ensure that the log can be accurately divided into hourly segments for reporting purposes.

11. A question has been raised as to whether the identification of prizes and mentions of donors' names are to be considered within our definition of commercial announcements and logged as such. The Commission does not believe that the question can be answered categorically and requires that such announcements be judged in light of Section 317 of the Communications Act of 1934, as amended and §§ 73.119 and 73.289 of the Commission's rules. If the announcement is one which is required thereunder it would constitute a commercial and must be considered accordingly.

12. As to commercial continuity it is necessary to show the total amount of time consumed by the commercial message within a sponsored program but not the number of such messages. Thus a 5-minute program which is sponsored shall indicate the number of minutes devoted to the sponsor's message or messages, irrespective of the number of

separate announcements. Participating announcements, however, shall be treated as commercial announcements and not as commercial continuity.

13. Further, in connection with the logging of commercial continuity a special problem is raised by certain sponsored programs wherein it is difficult to measure the exact length of what would be considered as commercial matter e.g., some sponsored religious and political programs. For such programs it will be permissible to compute the time on the basis of the station's normal limits for commercially sponsored programs of comparable length. This exception does not apply to any program advertising commercial products or services.

14. It is anticipated that other questions may arise in connection with application of the logging requirement necessitating further instructions and explanations. We may find on the basis of experience that the best method of resolving such matters is the development of a series of questions and answers dealing with interpretation of the rules and made available to all licensees. Prelogging is permitted, but any deviation from the pre-prepared log must be noted by a proper entry if it relates to matter which is required to be logged. (See paragraph 9.)

15. A station affiliated with a network which will supply to the station the necessary information as to classification of network programs and computation of commercial matter for the composite week shall record in its log the time when it joins the network, the name of each network program broadcast, the sponsors, if a commercially sponsored program, the time it leaves the network and any nonnetwork matter broadcast required to be logged.

16. The Commission realizes that it will take some time for stations to become familiar with the provisions of the new rules and to draw up new logging forms. The Commission feels that 90 days is adequate for such purpose. It is highly desirable that licensees begin logging under the new rules at the earliest practicable date because a long transition period will still be required before all applications for renewal will reflect a full range of information kept in accordance with the new logging requirements.

17. The present Report and Order and rule amendments relate only to the matters to be entered in the log. (Sections 73.112 and 73.282.)

18. Authority for the adoption of the amendments herein is contained in sections 4(i) and (j) 303, and 307(d) of the Communications Act of 1934, as amended.

19. In view of the foregoing: It is ordered, That §§ 73.112 and 73.282 of the Commission's rules are amended as set forth, to be effective December 1, 1965.

Adopted: July 27, 1965.

Released: August 12, 1965.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] BEN F. WAPLE,
Secretary.

1. Section 73.112 is amended to read as follows:

§ 73.112 Program log.

(a) The following entries shall be made in the program log:

(i) For each program. (i) An entry identifying the program by name or title. The name or title should be included on each page of the log containing entries pertaining to that particular program (i.e., if a program begins on one page of the log and continues on the next page, the title should be repeated).

(ii) An entry of the time each program begins and ends. If programs are broadcast during which separately identifiable program units of a different type or source are presented, and if the licensee wishes to count such units separately, the beginning and ending time for the longer program need be entered only once for the entire program. The program units which the licensee wishes to count separately shall then be entered underneath the entry for a longer program, with the beginning and ending time of each such unit, and with the entry indented or otherwise distinguished so as to make it clear that the program unit referred to was broadcast within the longer program. For example, a recorded entertainment program from 8 a.m. to 9 a.m. within which a 5-minute newscast is broadcast at 8:30, would be shown as follows:

8:00-9:00:
Morning Record Parade.
8:30-8:35:
News and Weather.

(iii) An entry classifying each program as to type, using the definitions set forth in Note 1 at the end of this section.

(iv) An entry classifying each program as to source, using the definitions set forth in Note 2 at the end of this section. (For network programs, also give name or initials of network, e.g., ABC, CBS, NBC, Mutual.)

(v) An entry for each program presenting a political candidate, showing the name and political affiliation of such candidate.

(2) For commercial matter. (i) An entry identifying (a) the sponsor(s) of the program; (b) the person(s) who paid for the announcement, or (c) the person(s) who furnished materials or services referred to in § 73.119(d). If the title of a sponsored program includes the name of the sponsor, e.g., XYZ News, a separate entry for the sponsor is not required.

(ii) Commercial continuity. An entry showing the total amount of commercial continuity (CC) within each commercially sponsored program. See Note 3 following this section for definition of commercial continuity and Note 5 for statement as to computation of commercial time.

(iii) Commercial announcement. An entry showing the duration of each commercial announcement (CA) and an entry which shows either the beginning time of each such announcement or which divides the log to show the 15-minute time segment (beginning on the hour) within which the announcement

was broadcast. See Note 3 following this section for definition of commercial announcement and Note 5 for statement as to computation of commercial time.

(iv) An entry showing that the appropriate announcement(s) (sponsorship, furnishing material or services, etc.) have been made as required by section 317 of the Communications Act and § 73.119. A checkmark (✓) will suffice but shall be made in such a way as to indicate the matter to which it relates.

(3) *For public service announcements.* (i) An entry showing that a public service announcement (PSA) has been broadcast together with the name of the organization or interest on whose behalf it is made. See Note 4 following this section for definition of a public service announcement.

(4) *For other announcements.* (i) An entry of the time that each required station identification announcement is made (call letters and licensed location; see § 73.117).

(ii) An entry for each announcement presenting a political candidate showing the name and political affiliation of such candidate.

(iii) An entry for each announcement made pursuant to the local notice requirements of §§ 1.580 (pre-grant) and 1.594 (designation for hearing) of this chapter, showing the time it was broadcast.

(iv) An entry showing that a mechanical reproduction announcement has been made in accordance with the provisions of § 73.118.

(b) Program log entries may be made either at the time of or prior to broadcast. A station broadcasting the programs of a national network which will supply it with all information as to such programs, commercial matter and other announcements for the composite week need not log such data but shall record in its log the time when it joins the network, the name of each network program broadcast, the sponsor(s), if a commercially sponsored program, the time it leaves the network, and any nonnetwork matter broadcast required to be logged. The information supplied by the network shall be retained with the program logs.

(c) No provision of this section shall be construed as prohibiting the recording or other automatic maintenance of data required for program logs. However, where such automatic logging is used, the licensee must comply with the following requirements:

(1) The licensee, whether employing manual or automatic logging or a combination thereof, must be able accurately to furnish the Commission with all information required to be logged;

(2) Each recording, tape, or other means employed shall be accompanied by a certificate of the operator or other responsible person on duty at the time or other duly authorized agent of the licensee, to the effect that it accurately reflects what was actually broadcast. Any information required to be logged which cannot be incorporated in the automatic process shall be maintained in a separate record which shall be similarly authenticated;

(3) The licensee shall extract any required information from the recording for the days specified by the Commission or its duly authorized representative and submit it in written log form, together with the underlying recording, tape, or other means employed.

NOTE 1. Program type definitions. The definitions of the first eight types of programs (a) through (h) are intended not to overlap each other and will normally include all the various programs broadcast. Definitions (i) through (k) are subcategories and the programs classified thereunder will also be classified under one of the appropriate first eight types. There may also be further duplication within types (i) through (k); e.g., a program presenting a candidate for public office, prepared by an educational institution, would be classified as Public Affairs (PA), Political (POL), and Educational Institution (ED).

(a) Agricultural programs (A) include market reports, farming, or other information specifically addressed, or primarily of interest, to the agricultural population.

(b) Entertainment programs (E) include all programs intended primarily as entertainment, such as music, drama, variety, comedy, quiz, etc.

(c) News programs (N) include reports dealing with current local, national, and international events, including weather and stock market reports; and when an integral part of a news program, commentary, analysis, and sports news.

(d) Public affairs programs (PA) include talks, commentaries, discussions, speeches, editorials, political programs, documentaries, forums, panels, roundtables, and similar programs primarily concerning local, national, and international public affairs.

(e) Religious programs (R) include sermons or devotionals; religious news; and music, drama, and other types of programs designed primarily for religious purposes.

(f) Instructional programs (I) include programs (other than those classified under Agricultural, News, Public Affairs, Religious or Sports) involving the discussion of, or primarily designed to further an appreciation or understanding of, literature, music, fine arts, history, geography, and the natural and social sciences; and programs devoted to occupational and vocational instruction, instruction with respect to hobbies, and similar programs intended primarily to instruct.

(g) Sports programs (S) include play-by-play and pre- or post-game related activities and separate programs of sports instruction, news or information (e.g., fishing opportunities, golfing instructions, etc.).

(h) Other programs (O) include all programs not falling within definitions (a) through (g).

(i) Editorials (EDIT) include programs presented for the purpose of stating opinions of the licensee.

(j) Political programs (POL) include those which present candidates for public office or which give expressions (other than in station editorials) to views on such candidates or on issues subject to public ballot.

(k) Education Institution programs (ED) include any program prepared by, in behalf of, or in cooperation with, educational institutions, educational organizations, libraries, museums, PTA's, or similar organizations. Sports programs shall not be included.

NOTE 2. Program source definitions.—(a) A local program (L) is any program originated or produced by the station, or for the production of which the station is primarily responsible, employing live talent more than 50 percent of the time. Such a program, taped or recorded for later broadcast, shall be classified as local. A local program fed to a network shall be classified by the origi-

nating station as local. All nonnetwork news programs may be classified as local. Programs primarily featuring records or transcriptions shall be classified as recorded even though a station announcer appears in connection with such material. However, identifiable units of such programs which are live and separately logged as such may be classified as local. (E.g., if during the course of a program featuring records or transcriptions a nonnetwork 2-minute news report is given and logged as a news program, the report may be classified as local.)

(b) A network program (NET) is any program furnished to the station by a network (national, regional or special). Delayed broadcasts of programs originated by networks are classified as network.

(c) A recorded program (REC) is any program not otherwise defined in this Note including, without limitation, those using recordings, transcriptions or tapes.

NOTE 3. Definition of commercial matter (CM) includes commercial continuity (network and nonnetwork) and commercial announcements (network and nonnetwork) as follows:

(a) Commercial continuity (CC) is the advertising message of a program sponsor.

(b) A commercial announcement (CA) is any other advertising message for which a charge is made, or other consideration is received.

(1) Included are (i) "bonus spots"; (ii) trade-out spots, and (iii) promotional announcements of a future program where consideration is received for such an announcement or where such announcement identifies the sponsor of a future program beyond mention of the sponsors' name as an integral part of the title of the program. (E.g., where the agreement for the sale of time provides that the sponsor will receive promotional announcements, or when the promotional announcement contains a statement such as "Listen Tomorrow for the—[name of program]—Brought to you by—[sponsor's name]—".)

(2) Other announcements including but not limited to the following are not commercial announcements:

(i) Promotional announcements, except as heretofore defined in paragraph (b).

(ii) Station identification announcements for which no charge is made.

(iii) Mechanical reproduction announcements.

(iv) Public service announcements.

(v) Announcements made pursuant to § 73.119(d) that materials or services have been furnished as an inducement to broadcast a political program or a program involving the discussion of controversial public issues.

(vi) Announcements made pursuant to the local notice requirements §§ 1.580 (pre-grant) and 1.594 (designation for hearing) of this chapter.

NOTE 4. Definition of a public service announcement. A public service announcement is an announcement for which no charge is made and which promotes programs, activities, or services of Federal, State, or local governments (e.g., recruiting, sales of bonds, etc.) or the programs, activities or services of nonprofit organizations (e.g., UGP, Red Cross Blood Donations, etc.), and other announcements regarded as serving community interests, excluding time signals, routine weather announcements, and promotional announcements.

NOTE 5. Computation of commercial time. Duration of a recorded announcement shall be stated precisely. As to live announcements, the entry shall be as close an approximation to the time consumed as possible. The amount of commercial time scheduled will usually be sufficient. It is not necessary, for example, to correct an entry of a 20-second commercial to accommodate varying reading speeds even though the actual

time consumed might be a few seconds more or less than the scheduled time. However, it is incumbent upon the licensee to ensure that the entry represents as close an approximation of the time actually consumed as possible.

2. Section 73.282 is amended to read as follows:

§ 73.282 Program log.

(a) The following entries shall be made in the program log:

(1) *For each program.* (i) An entry identifying the program by name or title. The name or title should be included on each page of the log containing entries pertaining to that particular program (i.e., if a program begins on one page of the log and continues on the next page, the title should be repeated).

(ii) An entry of the time each program begins and ends. If programs are broadcast during which separately identifiable program units of a different type or source are presented, and if the licensee wishes to count such units separately, the beginning and ending time for the longer program need be entered only once for the entire program. The program units which the licensee wishes to count separately shall then be entered underneath the entry for a longer program, with the beginning and ending time of each such unit, and with the entry indented or otherwise distinguished so as to make it clear that the program unit referred to was broadcast within the longer program. For example, a recorded entertainment program from 8 a.m. to 9 a.m. within which a 5-minute newscast is broadcast at 8:30, would be shown as follows:

8:00-9:00:

Morning Record Parade.

8:30-8:35:

News and Weather.

(iii) An entry classifying each program as to type, using the definitions set forth in **NOTE 1** at the end of this section.

(iv) An entry classifying each program as to source, using the definitions set forth in **NOTE 2** at the end of this section. (For network programs, also give name or initials of network, e.g., ABC, CBS, NBC, Mutual.)

(v) An entry for each program presenting a political candidate, showing the name and political affiliation of such candidate.

(2) *For commercial matter.* (i) An entry identifying (a) the sponsor(s) of the program; (b) the person(s) who paid for the announcement, or (c) the person(s) who furnished materials or services referred to in § 73.289(d). If the title of a sponsored program includes the name of the sponsor, e.g., XYZ News, a separate entry for the sponsor is not required.

(ii) *Commercial continuity.* An entry showing the total amount of commercial continuity (CC) within each commercially sponsored program. See **NOTE 3** following this section for definition of commercial continuity and **NOTE 5** for statement as to computation of commercial time.

(iii) *Commercial announcement.* An entry showing the duration of each com-

mercial announcement (CA) and an entry which shows either the beginning time of each such announcement or which divides the log to show the 15-minute time segment (beginning on the hour) within which the announcement was broadcast. See **NOTE 3** following this section for definition of commercial announcement and **NOTE 5** for statement as to computation of commercial time.

(iv) An entry showing that the appropriate announcement(s) (sponsorship, furnishing material or service, etc.) have been made as required by Section 317 of the Communications Act and § 73.289. A checkmark (✓) will suffice but shall be made in such a way as to indicate the matter to which it relates.

(3) *For public service announcements.*

(i) An entry showing that a public service announcement (PSA) has been broadcast together with the name of the organization or interest on whose behalf it is made. See **NOTE 4** following this section for definition of a public service announcement.

(4) *For other announcements.* (i) An entry of the time that each required station identification announcement is made (call letters and licensed location; see § 73.287).

(ii) An entry for each announcement presenting a political candidate, showing the name and political affiliation of such candidate.

(iii) An entry for each announcement made pursuant to the local notice requirements of §§ 1.580 (pre-grant) and 1.594 (designation for hearing) of this chapter, showing the time it was broadcast.

(iv) An entry showing that a mechanical reproduction announcement has been made in accordance with the provisions of § 73.288.

(b) Program log entries may be made either at the time of or prior to broadcast. A station broadcasting the programs of a national network which will supply it with all information as to such programs, commercial matter and other announcements for the composite week need not log such data but shall record in its log the time when it joins the network, the name of each network program broadcast, the sponsor(s), if a commercially sponsored program, the time it leaves the network, and any nonnetwork matter broadcast required to be logged. The information supplied by the network shall be retained with the program logs.

(c) No provision of this section shall be construed as prohibiting the recording or other automatic maintenance of data required for program logs. However, where such automatic logging is used, the licensee must comply with the following requirements:

(1) The licensee, whether employing manual or automatic logging or a combination thereof, must be able accurately to furnish the Commission with all information required to be logged;

(2) Each recording, tape, or other means employed shall be accompanied by a certificate of the operator or other responsible person on duty at the time or other duly authorized agent of the li-

censee, to the effect that it accurately reflects what was actually broadcast. Any information required to be logged which cannot be incorporated in the automatic process shall be maintained in a separate record which shall similarly be authenticated;

(3) The licensee shall extract any required information from the recording for the days specified by the Commission or its duly authorized representative and submit it in written log form, together with the underlying recording, tape, or other means employed.

NOTE 1. Program type definitions. The definitions of the first eight types of programs (a) through (h) are intended not to overlap each other and will normally include all the various programs broadcast. Definitions (i) through (k) are subcategories and the programs classified thereunder will also be classified under one of the appropriate first eight types. There may also be further duplication within types (i) through (k); (e.g., a program presenting a candidate for public office, prepared by an educational institution, would be classified as Public Affairs (PA), Political (POL), and Educational Institution (ED)).

(a) *Agricultural programs (A)* include market reports, farming or other information specifically addressed, or primarily of interest, to the agricultural population.

(b) *Entertainment programs (E)* include all programs intended primarily as entertainment, such as music, drama, variety, comedy, quiz, etc.

(c) *News programs (N)* include reports dealing with current local, national, and international events, including weather and stock market reports; and when an integral part of a news program, commentary, analysis, and sports news.

(d) *Public affairs programs (PA)* include talks, commentaries, discussions, speeches, editorials, political programs, documentaries, forums, panels, round tables, and similar programs primarily concerning local, national, and international public affairs.

(e) *Religious programs (R)* include sermons or devotionals; religious news; and music, drama, and other types of programs designed primarily for religious purposes.

(f) *Instructional programs (I)* include programs (other than those classified under Agricultural, News, Public Affairs, Religious, or Sports) involving the discussion of, or primarily designed to further an appreciation or understanding of, literature, music, fine arts, history, geography, and the natural and social sciences; and programs devoted to occupational and vocational instruction, instruction with respect to hobbies, and similar programs intended primarily to instruct.

(g) *Sports programs (S)* include play-by-play and pre- or post-game related activities and separate programs of sports instruction, news or information (e.g., fishing opportunities, golfing instructions, etc.).

(h) *Other programs (O)* include all programs not falling within definitions (a) through (g).

(i) *Editorials (EDIT)* include programs presented for the purpose of stating opinions of the licensee.

(j) *Political programs (POL)* include those which present candidates for public office or which give expressions (other than in station editorials) to views on such candidates or on issues subject to public ballot.

(k) *Educational Institution programs (ED)* include any program prepared by, in behalf of, or in cooperation with, educational institutions, educational organizations, libraries, museums, PTA's, or similar organiza-

tions. Sports programs shall not be included.

Note 2. Program source definitions. (a) A local program (L) is any program originated or produced by the station, or for the production of which the station is primarily responsible, employing live talent more than 50 percent of the time. Such a program, taped or recorded for later broadcast, shall be classified as local. A local program fed to a network shall be classified by the originating station as local. All nonnetwork news programs may be classified as local. Programs primarily featuring records or transcriptions shall be classified as recorded even though a station announcer appears in connection with such material. However, identifiable units of such programs which are live and separately logged as such may be classified as local. (E.g., if during the course of a program featuring records or transcriptions a nonnetwork 2-minute news report is given and logged as a news program, the report may be classified as local.)

(b) A network program (NET) is any program furnished to the station by a network (national, regional or special). Delayed broadcasts of programs originated by networks are classified as networks.

(c) A recorded program (REC) is any program not otherwise defined in this Note including, without limitation, those using recordings, transcriptions, or tapes.

Note 3. Definition of commercial matter (CM) includes commercial continuity (network and nonnetwork) and commercial announcements (network and nonnetwork) as follows:

(a) Commercial continuity (CC) is the advertising message of a program sponsor.

(b) A commercial announcement (CA) is any other advertising message for which a charge is made, or other consideration is received.

(i) Included are (i) "bonus spots"; (ii) trade-out spots, and (iii) promotional announcements of a future program where consideration is received for such an announcement or where such announcement identifies the sponsor of a future program beyond mention of the sponsor's name as an integral part of the title of the program. (E.g., where the agreement for the sale of time provides that the sponsor will receive promotional announcements, or when the promotional announcement contains a statement such as "Listen Tomorrow for the—

[name of program]—Brought to you by—[sponsor's name]—")

(2) Other announcements including but not limited to the following are not commercial announcements:

(i) Promotional announcements, except as heretofore defined in paragraph (b).

(ii) Station identification announcements for which no charge is made.

(iii) Mechanical reproduction announcements.

(iv) Public service announcements.

(v) Announcements made pursuant to § 73.289(d) that materials or services have been furnished as an inducement to broadcast a political program or a program involving the discussion of controversial public issues.

(vi) Announcements made pursuant to the local notice requirements of §§ 1.580 (pregrant) and 1.594 (designation for hearing) of this chapter.

Note 4. Definition of a public service announcement. A public service announcement is an announcement for which no charge is made and which promotes programs, activities, or services of Federal, State, or local governments (e.g., recruiting, sales of bonds, etc.) or the programs, activities or services of nonprofit organizations (e.g., UGP, Red Cross Blood Donations, etc.), and other announcements regarded as serving community interests, excluding time signals, routine weather announcements and promotional announcements.

Note 5. Computation of commercial time. Duration of a recorded announcement shall be stated precisely. As to live announcements, the entry shall be as close an approximation to the time consumed as possible. The amount of commercial time scheduled will usually be sufficient. It is not necessary, for example, to correct an entry of a 20-second commercial to accommodate varying reading speeds even though the actual time consumed might be a few seconds more or less than the scheduled time. However, it is incumbent upon the licensee to ensure that the entry represents as close an approximation of the time actually consumed as possible.

(Sec. 4, 48 Stat. 1066, as amended; 47 U.S.C. 154. Interpret or apply secs. 303, 307, 48 Stat. 1062, 1063; 47 U.S.C. 303, 307)

[F.R. Doc. 65-8671; Filed, Aug. 16, 1965; 8:50 a.m.]

Title 50—WILDLIFE AND FISHERIES

Chapter I—Bureau of Sport Fisheries and Wildlife, Fish and Wildlife Service, Department of the Interior

PART 32—HUNTING

Pathfinder National Wildlife Refuge, Wyoming

The following special regulation is issued and is effective on date of publication in the FEDERAL REGISTER.

§ 32.32 Special regulations; big game; for individual wildlife refuge areas.

WYOMING

PATHFINDER NATIONAL WILDLIFE REFUGE

Public hunting of antelope on the Pathfinder National Wildlife Refuge, Wyo., is permitted on the entire refuge and outlying waterfowl production areas from September 15 through September 30, 1965, in State Area No. 16; and from September 25 through October 15, 1965, in State Area No. 13. This open area, comprising 16,400 acres, is delineated on maps available at refuge headquarters, Laramie, Wyo., and from the office of the Regional Director, Bureau of Sport Fisheries and Wildlife, Post Office Box 1306, Albuquerque, N. Mex., 87103. Hunting shall be in accordance with all applicable State regulations covering the hunting of antelope.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through October 15, 1965.

LE MOYNE B. MARLATT,
Refuge Manager, Pathfinder
National Wildlife Refuge,
Laramie, Wyoming.

AUGUST 4, 1965.

[F.R. Doc. 65-8637; Filed, Aug. 16, 1965; 8:47 a.m.]

Proposed Rule Making

DEPARTMENT OF THE TREASURY

Bureau of Narcotics

[21 CFR Part 307]

MANUFACTURING OF NARCOTIC DRUGS

Proposed Addition of (Fentanyl) 1-Phenethyl-4-N-Propionylanilino-piperidine to List of Basic Classes

Upon the application of McNeil Laboratories, Inc., Camp Hill Road, Fort Washington, Pa., notice is hereby given pursuant to section 6 of the Narcotics Manufacturing Act of 1960 (74 Stat. 61, 21 U.S.C. 504) and 21 CFR 307.71-307.72 that the Commissioner of Narcotics, having determined that it would be consistent with the law and the public health and safety to do so, proposes to add (Fentanyl) 1-phenethyl-4-N-propionylanilino-piperidine and its salts, which heretofore have been determined to be narcotic drugs as defined in 26 U.S.C. 4731, as amended, to the list of basic classes of narcotic drugs provided in section 3(g) of the Narcotics Manufacturing Act of 1960.

Consideration will be given to any written data, views, or arguments pertaining to the proposed addition to the list of basic classes of narcotic drugs which are received by the Commissioner of Narcotics prior to September 17, 1965. Any person desiring to be heard on the proposed addition will be accorded the opportunity of a hearing in the office of the Commissioner of Narcotics, 633 Indiana Avenue NW., Washington, D.C., 20026, at 10 o'clock a.m., September 17, 1965: *Provided*, That such person furnishes written notice of his desire to be heard to the Commissioner of Narcotics, Washington, D.C., not later than 20 days from the publication of this notice in the FEDERAL REGISTER. If no written notice of a desire to be heard shall be received within 20 days from the date of publication of this notice in the FEDERAL REGISTER, no hearing shall be held.

[SEAL] HENRY L. GIORDANO,
Commissioner of Narcotics.

Approved: August 11, 1965.

JAMES POMEROY HENDRICK,
Acting Assistant Secretary of
the Treasury.

[F.R. Doc. 65-8612; Filed, Aug. 16, 1965;
8:45 a.m.]

DEPARTMENT OF AGRICULTURE

Agricultural Research Service

[9 CFR Part 91]

INSPECTION AND HANDLING OF LIVESTOCK FOR EXPORTATION

Proposed Exportation of Calves

On February 11, 1965, a notice of rule making was published in the FEDERAL

REGISTER (30 F.R. 1945) concerning a proposed amendment of § 91.5, Part 91, Subchapter D, Chapter I, Title 9, Code of Federal Regulations, as amended (9 CFR 91.5), with respect to proposed restrictions in connection with the exportation of certain calves. Such notice afforded interested persons an opportunity to submit written data, views, or arguments concerning the proposed amendment. After consideration of all relevant material submitted by interested persons in connection with such proposal, it has been determined that certain modifications should be made in the proposed restrictions on the exportation of certain calves. Accordingly, notice is hereby given in accordance with section 4 of the Administrative Procedure Act (5 U.S.C. 1003) that, pursuant to the provisions of sections 4 and 5 of the Act of May 29, 1884, as amended, section 10 of the Act of August 30, 1890, section 1 of the Act of February 2, 1903, as amended, the Act of March 4, 1907, and sections 3 and 11 of the Act of July 2, 1962 (21 U.S.C. 80-82, 86, 105, 112, 113, 120, 121, 134b, 134f), consideration is now being given to the amendment of said § 91.5 by designating the present provisions thereof as paragraph (a) and adding a new paragraph (b) to read:

§ 91.5 Inspection and certification at the port of export.

(b) If the animals offered for exportation are calves unaccompanied by their dams and on a diet of milk replacer, they shall not be subject to the requirements of § 91.4, and they shall be eligible for final clearance under paragraph (a) of this section, notwithstanding the proviso therein, only if the following conditions have been met:

(1) At least 10 days, but not more than 30 days, prior to the estimated date of export of the calves from the United States the calves were identified by the application of individual official ear tags and were inspected by a Department veterinarian, a State veterinarian, or an accredited veterinarian, in the State or other jurisdiction where the calves were assembled for shipment to the port of exportation, and on such inspection were found to be sound, healthy, and free from evidence of communicable disease, and so far as such veterinarian knew they had not been exposed to any such disease; if the calves were moved interstate (as defined in § 71.1 (l) and (m) of this chapter) to the place of assembly, such movement was made in accordance with Part 72 of this chapter; these facts were determined and certified on an official certificate issued by such veterinarian; such certificate was endorsed by a Department veterinarian specifically authorized to perform this function in such jurisdiction and the certificate was returned to the certifying veterinarian and retained in his custody until the calves were found to be eligible under subpara-

graph (2) of this paragraph for movement to the port of exportation and the certificate was delivered by him to the custodian of the calves to accompany the calves to the port of exportation as outlined in subparagraph (2) of this paragraph;

(2) After the initial examination and identification required under subparagraph (1) of this paragraph, the calves to be exported were isolated from all other animals and held in isolation, until shipment to the port of exportation, under the supervision of the certifying veterinarian, and were subjected to all tests and precautionary treatments required by the Director as necessary to effectuate the purposes of the regulations in this part, and such calves were inspected by such veterinarian daily or more frequently and immediately prior to shipment to the port of exportation, and all calves loaded for shipment to the port of exportation were found free from evidence of communicable disease and exposure thereto; any calves which, during this period of isolation, were found to be affected with any communicable disease were removed from the lot of calves to be exported and the remaining calves did not show any such disease and were held in isolation during the usual incubation period for such disease; the calves loaded for shipment to the port of exportation were loaded into conveyances properly cleaned and disinfected under supervision of the certifying veterinarian prior to such loading; any entry on the official certificate for any calf that was not shipped to the port of exportation was deleted by the certifying veterinarian by drawing double lines through the entry; and thereafter the certifying veterinarian entered on the certificate the date, time, and place of such final inspection and initialed such entries, then delivered the certificate to the custodian of the calves to accompany them to the port of exportation where the animals and certificate were delivered to the Department veterinarian at the port of exportation;

(3) The calves were fed under supervision of a Department veterinarian, specifically authorized to perform the function, within 8 hours of the estimated time of departure from the port of exportation;

(4) Export inspection of the calves by the Department veterinarian at the port of exportation was made within 8 hours of the estimated time of departure from the port of exportation; and, at the time of such inspection, the calves were not crated and each calf was made readily available and accessible by the exporter or his agent for thorough export inspection;

(5) Movement from the point at which the export veterinary inspection was completed to the means of conveyance in which the calves are to be exported was under Government seal or other method of supervision acceptable to the Department veterinarian.

Any person who wishes to submit written data, views, or arguments concerning the proposed amendment may do so by filing them with the Director, Animal Health Division, Agricultural Research Service, U.S. Department of Agriculture, Washington, D.C., 20250, within 30 days after publication hereof in the *FEDERAL REGISTER*. All written submissions made pursuant to this notice will be made available for public inspection at such times and places and in a manner convenient to the public business (7 CFR 1.27(b)).

Done at Washington, D.C., this 11th day of August 1965.

R. J. ANDERSON,
Acting Administrator,
Agricultural Research Service.

[F.R. Doc. 65-8667; Filed, Aug. 16, 1965;
8:49 a.m.]

Consumer and Marketing Service

[7 CFR Part 946]

IRISH POTATOES GROWN IN WASHINGTON

Proposed Expenses and Rate of Assessment

Consideration is being given to the approval of the expenses and rate of assessment, hereinafter set forth, which were recommended by the State of Washington Potato Committee, established pursuant to Marketing Agreement No. 113 and Marketing Order No. 946, both as amended (7 CFR Part 946).

This marketing program regulates the handling of Irish potatoes grown in Washington, and is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.).

All persons who desire to submit written data, views, or arguments in connection with these proposals may file the same in quadruplicate with the Hearing Clerk, Room 112-A, U.S. Department of Agriculture, Washington, D.C., 20250, not later than the 15th day after publication of this notice in the *FEDERAL REGISTER*. All written submissions made pursuant to this notice will be made available for public inspection at the office of the Hearing Clerk during regular business hours (7 CFR 1.27(b)). The proposals are as follows:

§ 946.217 Expenses and rate of assessment.

(a) The reasonable expenses that are likely to be incurred during the fiscal period June 1, 1965, through May 31, 1966, by the State of Washington Potato Committee for its maintenance and functioning, and for such other purposes as the Secretary determines to be appropriate, will amount to \$23,013.00.

(b) The rate of assessment to be paid by each handler in accordance with the Marketing Agreement and this part shall be three-tenths of 1 cent (\$0.003) per hundredweight of potatoes handled by him as the first handler thereof during said fiscal period.

No. 158—4

(c) Terms used in this section shall have the same meaning as when used in the said marketing agreement and this part.

(Secs. 1-10, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

Dated: August 12, 1965.

PAUL A. NICHOLSON,
Deputy Director, Fruit and
Vegetable Division, Consumer
and Marketing Service.

[F.R. Doc. 65-8666; Filed, Aug. 16, 1965;
8:49 a.m.]

ATOMIC ENERGY COMMISSION

[10 CFR Part 40]

LICENSING OF SOURCE MATERIAL

Exemption of Thorium Contained in Electric Lamps To Be Used for Illuminating Purposes

By letters dated January 6, 1965, and April 6, 1965, Westinghouse Electric Corp. petitioned the Atomic Energy Commission to exempt from licensing and regulatory requirements the possession and use of thorium contained in electric lamps to be used for illuminating purposes. The petitioner claims that the use of thorium in certain lamp electrodes permits easier starting and, consequently, reduces ballast costs. The petitioner also claims that the lamps maintain their light output much better than previous designs, effectively increasing the life of the lamps.

The Commission has given careful consideration to this petition. Based on data furnished by Westinghouse, and on other data available to the Commission, the Commission has found that receipt, possession, use, transfer, or import into the United States of thorium contained in electric lamps to be used for illuminating purposes within the limits specified in the proposed amendment involve unimportant quantities of source material within the meaning of section 62 of the Act which are not of significance to the common defense and security and that such activities can be conducted without any unreasonable hazard to life or property. The proposed amendment which follows would exempt the receipt, possession, use, transfer, or import of such items from the licensing requirements of section 62 of the Act and of Part 40 by adding two categories of electric lamps for illuminating purposes, as new subdivisions in § 40.13(c)(1), 10 CFR Part 40. Section 40.13(c)(1) currently exempts any quantities of thorium contained in (i) incandescent gas mantles, (ii) vacuum tubes, (iii) welding rods, or (iv) rare earth metals and compounds, mixtures, and products containing not more than 0.25 percent by weight thorium, uranium, or any combination of these.

The proposed exemption would not authorize the manufacture of the lamps containing thorium. Such manufacture would have to be authorized by a specific

or general license issued by the Commission or an agreement State.¹

It does not appear that the ingestion or inhalation of thorium placed in lamps will constitute a substantial radiation safety problem. The thorium would be available only upon lamp breakage. The care taken to remove all traces of glass from a broken lamp would also serve to effectively remove the thorium. Experimental breakage of lamps in small, unventilated rooms has indicated that it is very unlikely that concentrations of thorium in air will exceed the limits set forth in Appendix B, Table II, 10 CFR Part 20, for continuous occupancy by members of the general public.

A conservative estimate² of the external radiation level from a lamp containing the proposed maximum thorium content of two grams is 0.00025 milliroentgens per hour at one meter. Based on this and assumptions as to the time-distance factors which might characterize an individual's relationship to germicidal lamps, sunlamps, or outdoor and industrial lamps, it appears very unlikely that a dose in excess of a few hundredths of a milliroentgen per year would be received. Similarly, by approximating the radiation level from a lamp containing 50 milligrams of thorium and time-distance factors which might characterize an individual's relationship to any other type of electric lamp for illuminating purposes, it would also appear very unlikely that a dose in excess of a few hundredths of a milliroentgen per year would be received. The Federal Radiation Council, National Council on Radiation Protection and Measurements, and the International Commission on Radiological Protection have recommended that individuals of the population should not receive more than 500 milliroentgens per year from nonmedical sources of radiation.

Disposal of broken or burned out lamps through normal refuse disposal facilities is highly unlikely to result in any significant radiation safety problem. It is also unlikely that the metallic content of lamps would be reclaimed and thereby result in any addition of thorium to other products.

Section 150.15(a)(6), 10 CFR Part 150, provides that persons in agreement States are not exempt from the Commission's licensing and other regulatory re-

¹ A State to which the Commission has transferred certain regulatory authority over radioactive material by formal agreement, pursuant to sec. 274 of the Atomic Energy Act of 1954, as amended.

² Thorium "decays" through a rather complicated series of "daughter" isotopes, which are also radioactive, ending as a stable isotope of lead. One of the radioactive "daughter" isotopes is thorium 228 which has a half-life of 19 years. Chemical purification of thorium removes the "daughter" isotopes, other than thorium 228. Equilibrium may not be regained for as much as 20 years. Consequently, precise calculation of the radiation levels near a sample of thorium can be made only with specific information regarding the chemical treatment of the sample.

quirements with respect to "the transfer of possession or control by the manufacturer, processor, or producer of any equipment, device, commodity, or other product containing source, byproduct, or special nuclear material, intended for use by the general public." The Commission has determined that lamps are products intended for use by the general public. Accordingly, the transfer of possession or control by the manufacturer of such lamps would not be subject to the licensing and regulatory authority of an agreement State even if manufactured pursuant to an agreement State license.

Pursuant to the Atomic Energy Act of 1954, as amended, and the Administrative Procedure Act of 1946, notice is hereby given that adoption of the following amendment of Part 40 is contemplated. All interested persons who desire to submit written comments or suggestions for consideration in connection with the proposed amendment should send them to the Secretary, U.S. Atomic Energy Commission, Washington, D.C., 20545, within 60 days after publication of this notice in the *FEDERAL REGISTER*. Comments received after that period will be considered if it is practicable to do so, but assurance of consideration cannot be given except as to comments filed within the period specified.

1. Section 40.13, paragraph (c), subparagraph (1) is amended to read as follows:

§ 40.13 Unimportant quantities of source material.

(c) Any person is exempt from the regulation in this part and from the requirements for a license set forth in section 62 of the Act to the extent that such person receives, possesses, uses, transfers, or imports into the United States:

(i) Any quantities of thorium contained in (i) incandescent gas mantles, (ii) vacuum tubes, (iii) welding rods, (iv) electric lamps for illuminating purposes provided that each lamp does not contain more than 50 milligrams of thorium, (v) germicidal lamps, sun-lamps, and lamps for outdoor or industrial lighting provided that each lamp does not contain more than 2 grams of thorium, or (vi) rare earth metals and compounds, mixtures, and products containing not more than 0.25 percent by weight thorium, uranium, or any combination of these.

(Sec. 161, 68 Stat. 948; 42 U.S.C. 2201)

Dated at Germantown, Md., this 3d day of August 1965.

For the Atomic Energy Commission.

F. T. HOBBS,
Acting Secretary.

[F.R. Doc. 65-8606; Filed, Aug. 16, 1965; 8:45 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Parts 2, 21, 74, 91]

[Docket No. 15586]

LICENSING OF MICROWAVE RADIO STATIONS USED TO RELAY TELEVISION SIGNALS TO COMMUNITY ANTENNA TELEVISION SYSTEMS

Order Extending Time for Filing Reply Comments

1. On August 3, 1964, the Commission released a "notice of proposed rule making" in the above-entitled proceeding (FCC 64-720; 29 F.R. 11458, Aug. 8, 1964). The notice was divided into four parts, each of which dealt with different aspects of the subject matter. Comments and reply comments were to be submitted by October 1, and October 15, 1964, respectively.

2. In an order issued thereafter (29 F.R. 14191, Oct. 15, 1964), the Commission decided to spin off Parts I and III of the proceeding for early decision. That order also extended the dates for filing comments and reply comments on Parts I and III to November 16, and December 4, 1964, respectively; and on Parts II and IV to April 1, and May 3, 1965, respectively. Subsequently, another order (30 F.R. 4322, Apr. 2, 1965) extended the time for filing comments and reply comments on Parts II and IV to July 1, and August 3, 1965, respectively.

3. The Commission now has before it a "Joint Motion for Extension of Time Within Which To File Reply Comments" filed by the National Community Television Association, Inc. (NCTA), and the National Association of Microwave Common Carriers (NAMCC) which requests that the time for filing reply comments on Parts II and IV be further extended to October 15, 1965. As the primary reason for the extension it is stated that engineers for the moving parties need the additional time in order to reply properly and comprehensively to comments filed on Parts II and IV, especially those filed by the American Telephone & Telegraph Co.

4. The Commission wishes to avail itself of all useful information that may be available in order to arrive at informed judgments on the proposals in this proceeding. At the same time, expeditious resolution of the matters under study is desirable, and we note that the moving parties have already been granted one extension of time on Parts II and IV (30 F.R. 4322, supra).

5. It appears that a partial grant of the instant request will not materially delay the proceeding and would give ample time for the preparation of reply comments. Therefore extension of approximately 60 days for the filing of reply comments in Parts II and IV will be granted.

6. Accordingly, it is ordered, This 12th day of August 1965, that the time for filing reply comments on Parts II and IV of this proceeding is extended from August 3, 1965, to and including October 5, 1965, and that the "Joint Motion for Extension of Time Within Which To File Reply Comments" filed jointly by the National Community Television Association, Inc., and the National Association of Microwave Common Carriers is granted insofar as it is consistent with the action taken herein, and in other respects is denied.

7. This action is taken pursuant to authority found in sections 4(i), 5(d)(1) and 303(r) of the Communications Act of 1934, as amended, and § 0.281(d)(8) of the Commission's rules.

Released: August 12, 1965.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 65-8672; Filed, Aug. 16, 1965; 8:50 a.m.]

[47 CFR Part 73]

[Docket No. 15201, RM-407]

TV BROADCAST STATIONS AUTHORIZED USE OF AIRBORNE TELEVISION TRANSMITTERS

Order Extending Time for Filing Comments

1. The Commission issued a Report and Order (FCC 65-588) in the above proceeding on July 2, 1965. On August 2, 1965, Midwest Program for Airborne Television Instruction, Inc. filed a Petition for Reconsideration of that Order. The Commission has before it a request filed by the Association of Maximum Service Telecasters, Inc. (MST) that the date for filing responses to this Petition for Reconsideration and various Motions for Rehearing be extended 10 days, from August 16, 1965, to August 26, 1965. MST has given as a reason for the requested extension the absence on vacation of counsel who has been handling this proceeding since 1963.

2. We believe that good cause has been shown for this extension: *And, accordingly, it is ordered, This 11th day of August 1965, that the time for filing responses to the Petition for Reconsideration and Motions for Rehearing is extended from August 16, 1965, to August 26, 1965.*

3. This action is taken pursuant to authority found in sections 4(i), 5(d)(1) of the Communications Act of 1934, as amended, and § 0.281(d)(8) of the Commission's rules.

Released: August 12, 1965.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 65-8673; Filed, Aug. 16, 1965; 8:50 a.m.]

Notices

DEPARTMENT OF THE TREASURY

Office of the Secretary

[Treasury Dept. Order 147; Rev. 2]

SPECIAL ASSISTANT TO SECRETARY (FOR ENFORCEMENT)

Establishment of Office

By virtue of the authority vested in me as Secretary of the Treasury, including the authority in Reorganization Plan No. 26 of 1950, there is hereby established in the Office of the Secretary an office of Special Assistant to the Secretary (for Enforcement).

The incumbent of this office shall be under the general supervision of the Secretary and Under Secretary and shall have direct supervision over the following bureaus and offices:

United States Secret Service.

Bureau of Narcotics.

Office of Law Enforcement Coordination (including the Treasury Enforcement School).

Additional functions and duties of the incumbent shall include, but shall not be limited to, the following:

Serve as principal advisor to the Secretary on all law enforcement matters.

Inform the Secretary fully of all significant developments relating to Presidential protection.

Coordinate all enforcement activities of the Treasury and provide such policy, functional and technical guidance to the Bureau of Customs, United States Coast Guard, and Internal Revenue Service enforcement activities as is required to assure optimum benefits from joint and cooperative utilization of law enforcement resources.

Appraise Treasury enforcement agencies with respect to the overall efficiency, effectiveness, performance, and integrity of personnel, programs and activities, and institute any corrective action required.

Formulate basic law enforcement policy, program, organizational, and procedural proposals to effectively and efficiently carry out the Department's national and international law enforcement responsibilities.

Provide inter-agency and inter-Governmental liaison and representation on enforcement matters.

Direct Treasury enforcement training. Strengthen relationships with Federal, State, and local enforcement agencies.

Serve as United States representative with the International Criminal Police Organization (INTERPOL).

The functions and duties herein assigned to the Special Assistant to the Secretary (for Enforcement) may, at his discretion, be delegated to subordinates in such manner as he shall from time to time direct.

To effectuate the provisions of this order, I hereby direct the Special Assistant to the Secretary (for Enforcement) to draw on all enforcement facilities of the Department without limitation, except as to restrictions imposed by law.

Such personnel, records, equipment, and funds as are mutually determined

by the Assistant Secretary for Administration, the Special Assistant to the Secretary (for Enforcement), and the respective heads of bureaus and offices having assigned law enforcement functions, to be necessary in the performance of these functions and duties shall be transferred, assigned, or reimbursed, as necessity and circumstances dictate, on a pro rata basis to the Office of the Secretary.

This order shall become effective on entrance on duty of the Special Assistant to the Secretary (for Enforcement). Any previous orders or instructions in conflict with the provisions of this order are hereby amended accordingly. Treasury Department Order No. 147 (Revision No. 1) is hereby rescinded.

Dated: August 10, 1965.

[SEAL]

HENRY H. FOWLER,
Secretary of the Treasury.

[P.R. Doc. 65-8645; Filed, Aug. 16, 1965; 8:48 a.m.]

[Treasury Dept. Order 205]

DIRECTOR OF THE MINT

Delegation of Authority To Procure Minting of Clad Coins

JULY 26, 1965.

By virtue of the authority vested in me as Secretary of the Treasury, including the authority in Reorganization Plan No. 26 of 1950, there is hereby delegated to Miss Eva Adams, Director of the Mint, without limitation, all the authority vested in the Secretary of the Treasury under section 103 of the Act of July 23, 1965, Pub. L. 89-81, relating to the procurement of equipment, manufacturing facilities, patents, patent rights, technical knowledge and assistance, metallic strip, and other materials necessary to produce rapidly an adequate supply of clad coins.

[SEAL]

HENRY H. FOWLER,
Secretary of the Treasury.

[P.R. Doc. 65-8646; Filed, Aug. 16, 1965; 8:48 a.m.]

[Treasury Dept. Order 205-1]

DIRECTOR OF THE MINT

Delegation of Authority To Purchase Metal for Coinage

JULY 26, 1965.

By virtue of the authority vested in me as Secretary of the Treasury, including the authority in Reorganization Plan No. 26 of 1950, there is hereby delegated to the Director of the Mint, without limitation, all the authority vested in the Secretary of the Treasury under Rev. Stat. section 3528 as amended (31 U.S.C. 340) to purchase metal for coinage from the coinage metal fund, and all the authority vested in the Secretary under 41 U.S.C.

252(c) which may be delegated pursuant to 41 U.S.C. 257.

[SEAL]

HENRY H. FOWLER,
Secretary of the Treasury.

[P.R. Doc. 65-8647; Filed, Aug. 16, 1965; 8:48 a.m.]

DEPARTMENT OF AGRICULTURE

Commodity Credit Corporation

SALES OF CERTAIN COMMODITIES

August 1965 CCC Monthly Sales List

Notice to buyers. Pursuant to the policy of Commodity Credit Corporation issued October 12, 1954 (19 F.R. 6669), and subject to the conditions stated therein as well as herein, the commodities listed below are available for sale and, where noted, for redemption of payment-in-kind certificates on the price basis set forth.

The prices at which Commodity Credit Corporation commodity holdings are available for sale during August 1965 are as announced by the U.S. Department of Agriculture. The following commodities are available: Butter, cheddar cheese, nonfat dry milk, cotton (upland and extra long staple), wheat, corn, oats, barley, rye, rice, grain sorghum, dry edible beans, peanuts, flax and linseed oil.

The list is unchanged from July, except that Great Northern beans have been added for unrestricted use sales.

Carrying charge markups for determining August formula minimum prices over July prices are 1½ cents per bushel for wheat, barley, oats, rye, and flaxseed and 2½ cents per hundredweight for grain sorghum. These are the same as August 1964 markups.

Corn, oats, barley or grain sorghum, as determined by CCC, will be sold for unrestricted use for "Dealers' Certificates" issued under the emergency livestock feed program. Grain delivered against such certificates will be sold at the applicable current market price, determined by CCC.

In the following listing of commodities and sales prices or method of sales, "unrestricted use" applies to sales which permit either domestic or export use and "export" applies to sales which require export only. CCC reserves the right to determine the class, grade, quality and available quantity of commodities listed for sale.

The CCC Monthly Sales List, which varies from month to month as additional commodities become available or commodities formerly available are dropped, is designed to aid in moving CCC's inventories into domestic or export use through regular commercial channels.

If it becomes necessary during the month to amend this list in any material way—such as by the removal or ad-

dition of a commodity in which there is general interest or by a significant change in price or method of sale—an announcement of the change will be sent to all persons currently receiving the list by mail from Washington. To be put on this mailing list, address: Director, Procurement and Sales Division, Agricultural Stabilization and Conservation Service, U.S. Department of Agriculture, Washington, D.C., 20250.

Interest rates per annum under the CCC Export Credit Sales Program (Announcement GSM-3) for August 1965 are 4½ percent for periods up to and including 12 months, and 5 percent for periods from over 12 months up to a maximum of 36 months. Commodities currently offered for sale by CCC, plus tobacco from CCC loan stocks, are available for export sale under the CCC Export Credit Sales Program as provided under specific commodity listings. Commodities from private stocks now eligible for financing under the CCC Export Credit Sales Program include wheat, wheat flour, bulgur, corn, cornmeal, grain sorghum, upland and extra long staple cotton, tobacco, milled and brown rice, cottonseed oil, soybean oil, and dairy products.

The following commodities are available for programming under Title IV, P.L. 480, private trade agreements: Wheat, corn, rice, grain sorghum, upland and extra long staple cotton, tobacco from CCC loan stocks, butter, cheese, and nonfat dry milk. In addition, other surplus agricultural commodities are also eligible for Title IV programming. Information on commodities available under this program, and current information on interest rates and other phases of the program may be obtained from the Office of the General Sales Manager, Foreign Agricultural Service, U.S. Department of Agriculture, Washington, D.C., 20250.

The following commodities are currently available for barter: Cotton (upland and extra long staple), tobacco, wheat, corn, grain sorghum, butter and nonfat dry milk. (In addition, free market stocks of cottonseed and soybean oils are eligible for some types of barter transactions.) This list is subject to change from time to time.

The CCC will entertain offers from responsible buyers for the purchase of any commodity on the current list. Offers accepted by CCC will be subject to the terms and conditions prescribed by the Corporation. These terms include payment by cash or irrevocable letter of credit before delivery of the commodity, and the conditions require removal of the commodity from CCC stocks within a reasonable period of time. Where sales are for export, proof of exportation is also required, and the buyer is responsible for obtaining any required U.S. Government export permit or license. Purchases from CCC shall not constitute any assurance that any such permit or license will be granted by the issuing authority.

Applicable announcements containing all terms and conditions of sale will be furnished upon request. For easy reference a number of these announcements are identified by code number in the

following list. Interested persons are invited to communicate with the Agricultural Stabilization and Conservation Service, USDA, Washington, D.C., 20250, with respect to all commodities or—for specified commodities—within the designated ASCS Commodity Office.

Commodity Credit Corporation reserves the right to amend, from time to time, any of its announcements. Such amendments shall be applicable to and be made a part of the sale contracts thereafter entered into.

CCC reserves the right to reject any or all offers placed with it for the purchase of commodities pursuant to such announcements.

CCC reserves the right to refuse to consider an offer, if CCC does not have adequate information of financial responsibility of the offeror to meet contract obligations of the type contemplated in this announcement. If a prospective offeror is in doubt as to whether CCC has adequate information with respect to his financial responsibility, he should either submit a financial statement to the office named in the invitation prior to making an offer, or communicate with such office to determine whether such a statement is desired in his case. When satisfactory financial responsibility has not been established, CCC reserves the right to consider an offer only upon submission by offeror of a certified or cashier's check, a bid bond, or other security, acceptable to CCC, assuring that if the offer is accepted, the offeror will comply with any provisions of the contract with respect to payment for the commodity and the furnishing of performance bond or other security acceptable to CCC.

Disposals and other handling of inventory items often result in small quantities at given locations or in quantities not up to specifications. These lots are offered by the appropriate ASCS office promptly upon appearance and therefore, generally, they do not appear in the monthly Sales List.

On sales for which the buyer is required to submit proof to CCC of exportation the buyer shall be regularly engaged in the business of buying or selling commodities and for this purpose shall maintain a bona fide business office in the United States, its territories or possessions and have a person, principal, or resident agent upon whom service of judicial process may be had.

Prospective buyers for export should note that generally, sales to United States Government agencies, with only minor exceptions will constitute domestic unrestricted use of the commodity.

Commodity Credit Corporation reserves the right, before making any sales, to define or limit export areas.

The Department of Commerce, Bureau of International Commerce, pursuant to regulations under the Export Control Act of 1949, prohibits the exportation or re-exportation by anyone of any commodities under this program to Cuba, the Soviet Bloc or Communist-controlled areas of the Far East including Communist China, North Korea, and the Communist-controlled area of Vietnam, except under validated license issued by the U.S. Department of Com-

merce, Bureau of International Commerce.

For all exportations, one of the destination control statements specified in Commerce Department Regulations (Comprehensive Export Schedule § 379.10(c)) is required to be placed on all copies of the shipper's export declaration, all copies of the bill of lading, and all copies of the commercial invoices. For additional information as to which destination control statement to use, the exporter should communicate with the Bureau of International Commerce or one of the field offices of the Department of Commerce.

Exporters should consult the applicable Commerce Department regulations for more detailed information if desired and for any changes that may be made therein.

SALES PRICE OR METHOD OF SALE

WHEAT, BULK

Unrestricted use.

A. *Nonstorable.* Such dispositions of non-storable wheat as CCC may designate will be made at not less than market price, as determined by CCC.

B. All sales of storable wheat for unrestricted use have been suspended until further notice. However, the following markups and examples are furnished for use in any upward adjustment in price which becomes necessary under CCC sales programs.

C. *Markup and examples (dollars per bushel—in store).*

Markup in-store received by—		Examples—Agricultural Act of 1949 Stat. minimum
Truck	Rail or barge	
\$0.06½	\$0.03¼	Minneapolis—No. 1 DNS (158); 100 percent, \$0.03¼; \$1.69¼. Portland—No. 1 SW (144); 105 percent, \$0.03¼; \$1.55¼. Kansas City—No. 1 HW (143); 105 percent, \$0.03¼; \$1.54¼. Chicago—No. 1 HW (149); 105 percent, \$0.03¼; \$1.60¼.

D. *Availability information.* For information on the disposition of nonstorable wheat, contact the Evanston, Kansas City, Minneapolis or Portland ASCS grain offices shown at the end of this sales list.

Export.

Sales will be made pursuant to the following announcements:

A. Announcement GR-345 (Revised August 25, 1964) as amended for export under the wheat export payment-in-kind program.

B. Announcement GR-346 (Revised September 8, 1964) as amended for export as flour.

C. Announcement GR-261 (Revision 2, January 9, 1961, as amended and supplemented) for export as wheat and under Announcement GR-262 (Revision 2, January 9, 1961, as amended) for export as flour for application under arrangements for barter and approved CCC credit sales only at prices determined daily. Hard winter wheat will not be sold through West Coast ports under Announcements GR-261 or GR-262.

D. *Available.* Evanston, Kansas City, Minneapolis, and Portland ASCS grain offices.

CORN, BULK

Unrestricted use.

A. *Redemption of domestic payment-in-kind certificates.* Such CCC dispositions of corn as CCC may designate will be in redemption of certificates or rights represented by

pooled certificates under a feed grain program. The price at which corn shall be valued for such dispositions shall be the highest of (a) market price as determined by CCC, (b) a minimum price for such corn as determined by CCC and, (c) the payment-in-kind formula price for such redemptions. Such formula price shall be the applicable 1964 price-support loan rate for the class, grade, and quality of the corn plus the amount shown in C of this unrestricted use section applicable for the storage point involved.

B. General sales.

1. *Storable.* Such CCC dispositions of storable corn, as CCC may designate as general sales, will be made during the month at market price, but not less than the Agricultural Act of 1949 formula minimum price for such sales which is 105 percent² of the applicable 1964 price-support rate (published price-support rate plus 15 cents per bushel) for the class, grade, and quality of the corn, plus the amount shown in C of this unrestricted use section, applicable to the storage point involved. Examples of these formula minimum prices are shown in C below. For corn in store at other than the point of production, the freight from point of production to the present point of storage will also be added. CCC will normally make general sales of corn when dispositions of such corn are not being made against domestic payment-in-kind certificates.

2. *Nonstorable.* Such dispositions of nonstorable corn as CCC may designate as general sales will be made at not less than market price, as determined by CCC.

C. *Markups and Agricultural Act of 1949 formula price examples (per bushel).*

Markup in cents in-store at—		Examples of in-store formula minimum prices No. 2 yellow corn (14 percent MT. and 2 percent F.M.) (ex-rail or barge in dollars)	
Production point	Other points	Terminal	General sales price
Cents 13½	Cents 15	Minneapolis, Minn. (ex-rail) Chicago, Ill. (ex-rail)	\$1.48½ 1.67

D. *Availability information.* For information on CCC corn sales and payments-in-kind from bin sites, contact ASCS State or county offices. For information on the disposition of corn from other locations, contact the Evanston, Kansas City, Minneapolis or Portland ASCS grain offices shown at the end of this sales list.

Export.

Sales for barter and credit are made at the applicable export market price, as determined by CCC; export payment-in-kind rates, if any, are deducted in arriving at barter and credit sales prices. The statutory minimum price referred to in the price adjustment provisions of the following export sales announcements is 105 percent of the applicable price-support rate plus the adjustment referred to in C of the unrestricted use section for corn. Sales will be made pursuant to the following announcement:

A. *Announcement GR-212 (Revision 2, Jan. 9, 1961), for application to approved CCC barter and credit sales except that limited West Coast terminal stocks are available for export sale. (Barter, credit and other designated sales.)*

B. *Available.* Evanston, Kansas City, Minneapolis, and Portland ASCS grain offices.

GRAIN SORGHUM (BULK)

Unrestricted use.

A. *Redemption of domestic payment-in-kind certificates.* Such CCC dispositions of

See footnotes at end of document.

grain sorghum as CCC may designate will be in redemption of certificates or rights represented by pooled certificates under a feed grain program. The minimum price at which grain sorghum shall be valued for such dispositions shall be market price, but not less than the payment-in-kind formula price for such redemption. Such formula price shall be the applicable 1965 price-support loan rate for the class, grade, and quality of the grain sorghum, plus the amount shown in C of this unrestricted use section applicable to the type of carrier involved.

B. General sales.

1. *Storable.* Such CCC dispositions of storable grain sorghum, as CCC may designate as general sales will be made during the month at market price, but not less than the Agricultural Act of 1949 formula minimum price for such sales which is 105 percent of the applicable 1965 price-support rate² (published price-support loan rate plus 35 cents per hundredweight) for the class, grade, and quality of the grain sorghum, plus the amount shown in C of this unrestricted use section applicable to the type of carrier involved. If delivery is outside the area of production, applicable freight and handling charges will be added. Examples of these formula minimum prices are shown in C below. CCC will normally make general sales of grain sorghum when dispositions of such grain sorghum are not being made against domestic payment-in-kind certificates.

2. *Nonstorable.* Such dispositions of nonstorable grain sorghum as CCC may designate as general sales will be made at not less than market price, as determined by CCC.

C. *Markups and examples (dollars per hundredweight in-store No. 2 or better).*

Markup in-store received by—		Examples
Truck	Rail or barge	
\$0.11½	\$0.03½	Feed grain program domestic PIK certificate minimum Hale County, Tex. (\$1.63 and \$0.11½); \$1.74½; Kansas City, Mo. (ex-rail) \$1.98 and \$0.03½; \$1.98½; Agricultural Act of 1949 Stat. minimums: Hale County, Tex. (\$1.63 and \$0.35); 105 percent and \$0.11½; \$2.19½; Kansas City, Mo. (ex-rail) (\$1.63 and \$0.35); 105 percent and \$0.03½; \$2.43½.

D. *Availability information.* For information on CCC grain sorghum sales and payments-in-kind from bin sites, contact ASCS State or county offices. For information on the disposition of grain sorghum from other locations, contact the Kansas City, Evanston, Portland, or Minneapolis ASCS grain offices shown at the end of this sales list.

Export.

Sales are made at the applicable export market price, as determined by CCC; export payment-in-kind rates, if any, are deducted in arriving at barter and credit sales prices. The statutory minimum price referred to in the price adjustment provisions of the following export sales announcements is 105 percent of the applicable price-support rate plus the adjustment referred to in C of the unrestricted use section for grain sorghum. Sales will be made pursuant to the following announcements:

A. *Announcement GR-368 (Revised March 1, 1965), feed grain export payment-in-kind program.*

B. *Announcement GR-212 (Revision 2, January 9, 1961), for application to arrangements for barter, approved CCC credit and other designated sales).*

C. *Available.* Evanston, Kansas City, Minneapolis, and Portland ASCS grain offices.

BARLEY, BULK

Unrestricted use.

A. *Redemption of domestic payment-in-kind certificates.* Such CCC dispositions of barley as CCC may designate, will be in redemption of certificates or rights represented by pooled certificates under a feed grain program. The minimum price at which barley shall be valued for such dispositions shall be market price, as determined by CCC, but not less than the payment-in-kind formula price for such redemptions. Such formula price shall be the applicable 1965 price-support loan rate for the class, grade, and quality of the barley, plus the amount shown in C of this unrestricted use section, applicable to the type of carrier involved.

B. General sales.

1. *Storable.* Such CCC dispositions of storable barley, as CCC may designate as general sales, will be made during the month at market price, but not less than the Agricultural Act of 1949 formula minimum price for such sales which is 105 percent of the applicable 1965 price-support rate² (published price-support loan rate plus 16 cents per bushel) for the class, grade, and quality of the barley, plus the amount shown in C of this unrestricted use section, applicable to the type of carrier involved. Examples of these formula minimum prices are shown in C below. If delivery is outside the area of production, applicable freight and handling charges will be added. CCC will normally make general sales of barley when dispositions of such barley are not being made against domestic payment-in-kind certificates.

2. *Nonstorable.* At not less than market price as determined by CCC.

C. *Markups and examples (dollars per bushel in-store No. 2 or better).*

Markup in-store received by—		Examples
Truck	Rail or barge	
\$0.03½	\$0.03½	Feed grain program domestic PIK certificate minimum Cass County, N. Dak. (\$0.76 and \$0.03½); \$0.81½; Minneapolis, Minn. (ex-rail) \$0.99 and \$0.03½; \$1.02½; Agricultural Act of 1949 Stat. minimums: Cass County, N. Dak. (\$0.76 and \$0.16); 105 percent and \$0.03½; \$1.02½; Minneapolis, Minn. (ex-rail) (\$0.99 and \$0.16); 105 percent and \$0.03½; \$1.24½.

D. *Availability information.* For information on CCC barley sales from bin sites, contact ASCS State or county offices. For information on the disposition of barley from other locations, contact the Evanston, Kansas City, Minneapolis, or Portland ASCS grain offices shown at the end of this sales list.

Export.

Sales are made at the applicable export market price, as determined by CCC; export payment-in-kind rates, if any, are deducted in arriving at credit sales prices. The statutory minimum price referred to in the price adjustment provisions of the following export sales announcements is 105 percent of the applicable price-support rate plus the adjustment referred to in C of the unrestricted use section for barley. Sales will be made pursuant to the following announcements except that barley will not be sold for applications to Title I, or Title IV, P.L. 480 purchase authorizations or for barter.

A. *Announcement GR-368 (Revised March 1, 1965), feed grain export payment-in-kind program.*

B. *Announcement GR-212 (Revision 2, January 9, 1961), for application to approved CCC credit sales.*

C. Available. Evanston and Kansas City ASCS offices. Stocks in Duluth or Minneapolis will be available through the Minneapolis ASCS grain office.

OATS, BULK

Unrestricted use.

A. Storable. Market price, as determined by CCC, but not less than the Agricultural Act of 1949 formula price which is 105 percent of the applicable 1965 price-support rate for the class, grade, and quality of the oats plus the amount shown in B below. For oats in-store at other than the point of production, the freight and handling charges from point of production to the present point of storage will also be added.

B. Markups and examples (dollars per bushel in-store basis No. 2 XHWO).

Markup in-store received by—	Examples—Agricultural Act of 1949 Stat. minimum
Truck	
\$0.06½	Redwood County, Minn.: \$0.06½. (60.56 and \$0.58 quality differential); 105 percent and \$0.04½. Minneapolis, Minn. (ex-Redwood County by rail): \$0.74. County minimum plus freight and handling charges (\$0.06½ and \$0.00½ and \$0.05½ and \$0.01½).

C. Nonstorable. At not less than the market price as determined by CCC.

D. Availability information. Sales at bin sites are made through the ASCS county offices; at other locations through the Evanston, Kansas City, Minneapolis, or Portland ASCS grain offices.

Export.

Sales are made at the applicable export market price, as determined by CCC; export payment-in-kind rates, if any, are deducted in arriving at credit sales prices. The statutory minimum price referred to in the price adjustment provisions of the following export sales announcements is 105 percent of the applicable price-support rate plus the adjustment referred to in B of the unrestricted use section for oats. Sales will be made pursuant to the following announcements except that oats will not be sold for applications to Title I or Title IV, Public Law 480 purchase authorizations or for barter:

A. Announcement GR-368 (Revised March 1, 1965), feed grain export payment-in-kind program.

B. Announcement GR-212 (Revision 2, January 9, 1961), for application to approved CCC credit and other designated sales.

C. Available. Evanston, Kansas City, Minneapolis, and Portland ASCS grain offices.

RYE, BULK

Unrestricted use.

A. Storable. Market price, as determined by CCC, but not less than the Agricultural Act of 1949 formula price which is 105 percent of the applicable 1965 price-support rate for the class, grade, and quality of the grain plus the respective amount shown below applicable to the type of carrier involved. If delivery is outside the area of production applicable freight and handling charges will be added to the above.

B. Markups and examples (dollars per bushel in-store No. 2 or better).

See footnotes at end of document.

Markup in-store received by—	Examples—Agricultural Act of 1949 Stat. minimum
Truck	
\$0.06½	Rellette County, N. Dak. (\$0.91); 105 percent and \$0.06½; \$1.02½. Minneapolis, Minn. (ex-rail) (\$1.24); 105 percent and \$0.03½; \$1.34½.

C. Nonstorable. At not less than market price as determined by CCC.

D. Availability information. Sales at bin sites are made through ASCS county offices; at other locations through the Evanston, Kansas City, Minneapolis, or Portland ASCS grain offices.

Export.

Sales are made at the applicable export market price, as determined by CCC; export payment-in-kind rates, if any, are deducted in arriving at credit sales prices. The statutory minimum price referred to in the price adjustment provisions of the following export sales announcements is 105 percent of the applicable price-support rate plus the adjustment referred to in B of the unrestricted use section for rye. Sales will be made pursuant to the following announcements except that rye will not be sold for applications to Title I, or Title IV, Public Law 480 purchase authorizations or for barter.

A. Announcement GR-368 (Revised March 1, 1965), feed grain export payment-in-kind program.

B. Announcement GR-212 (Revision 2, January 9, 1961), for application to approved CCC credit and other designated sales.

C. Available. Evanston, Kansas City, and Portland ASCS offices; also Minneapolis ASCS grain office for rye stored in terminals in Minneapolis.

RICE, ROUGH

Unrestricted use.

Market price but not less than 1965 loan rate plus 5 percent plus 13 cents per hundred-weight, basis in store.

Export.

As milled or brown under Announcement GR-369, revision III, rice export program—payment-in-kind, and under GR-379, Revision I, for approved credit sales.

Availability information. Prices, quantities, and varieties of rough rice available from Kansas City ASCS Commodity Office.

DRY EDIBLE BEANS (BAGGED)

Unrestricted use.

Domestic market price but not less than the following minimum price per hundred-weight for U.S. No. 1 f.o.b. indicated points of production. Amount of paid-in-freight to be added as applicable. For other grades and locations adjust by applicable 1964 price-support differentials.

Class	Prices per hundred-weight	Area of production
Pea.....	\$7.66	Michigan.
Red Kidney.....	9.35	Michigan.
Great Northern.....	7.65	Nebraska.
Great Northern.....	7.65	Idaho.
Great Northern.....	7.65	Michigan.

COTTON, UPLAND

Unrestricted use.

A. Competitive bid under the terms and conditions of Announcement NO-C-16, as

amended (Sale of Upland Cotton for Unrestricted Use). Under this announcement, upland cotton acquired under price-support programs will be sold at the highest price offered but in no event at less than the higher of (a) 105 percent of the current loan rate for such cotton, plus reasonable carrying charges, or (b) the market price for such cotton, as determined by CCC.

B. Competitive offers under the terms and conditions of Announcement NO-C-26 (Disposition of Upland Cotton—for exchange of PIK certificates or rights in the certificate pool for upland cotton), as amended. Upland cotton may be acquired at its domestic market price which shall be the highest price offered but not less than the minimum price determined by CCC.

Export.

A. CCC cash sales for export. Competitive bid under the terms and conditions of Announcement CN-EX-25 (Cotton Export Program—Sales—1964-66 Marketing Years) and NO-C-29 (Sale of Upland Cotton—Cotton Export Program—1964-66 Marketing Years), as amended.

B. CCC credit sales and barter. Competitive bid under the terms and conditions of Announcement CN-EX-23 (Purchase of Upland Cotton for Export under the Export Credit Sales Program), Announcement CN-EX-24 (Acquisition of Upland Cotton for Export under the Barter Program), and Announcement NO-C-28 (Sale of Upland Cotton—CCC Credit and Barter Programs—1964-66 Marketing Years), as amended.

COTTON, EXTRA LONG STAPLE

Unrestricted use.

Competitive bid under the terms and conditions of Announcements NO-C-6 (Revised July 22, 1960), as amended, and NO-C-10, as amended. Under these announcements extra long staple cotton (domestically grown) will be sold at the highest price offered but in no event at less than the higher of (a) 115 percent of the current support price for such cotton plus reasonable carrying charges, or (b) the domestic market price as determined by CCC.

Export.

A. CCC cash sales for export. Competitive bid under the terms and conditions of Announcements CN-EX-20 (Foreign-grown Extra Long Staple Cotton Export Program) and NO-C-23 (Sale of Foreign-grown Extra Long Staple Cotton).

Competitive bid under the terms and conditions of Announcements CN-EX-22 (Extra Long Staple Cotton Export Program) and NO-C-27 (Sale of Extra Long Staple Cotton), as amended.

B. CCC credit sales and barter. Competitive bid under the terms and conditions of Announcement CN-EX-26 (Purchase of Extra Long Staple Cotton for Export under the Export Credit Sales Program), Announcement CN-EX-27 (Acquisition of Extra Long Staple Cotton for Export under the Barter Program), and Announcement NO-C-27 (Sale of Extra Long Staple Cotton), as amended.

Availability information. Sale of cotton will be made by the New Orleans ASCS Commodity Office and catalogs for upland cotton and extra long staple cotton showing quantities, qualities, and location may be obtained for a nominal fee from that office.

PEANUTS, SHELLED OR UNSHELLED FARMERS STOCK

Unrestricted use.

U.S. Extra Large and U.S. Medium—1962 crop. Competitive bids pursuant to Peanut Announcement 3 Revised, at the higher of

the market or minimum prices determined by CCC which reflect not less than 105 percent of the support price plus reasonable carrying charges.

Domestic crushing or export.

Competitive bids pursuant to CCC Peanut Announcement 1 (Revised), January 4, 1962, Amendments 1 through 4 thereto, Supplement 1, March 3, 1964, and Appendix 1 thereto and terms of weekly lot list(s).

Export.

U.S. Extra Large and U.S. Medium-Shell Virginia type. Competitive bids pursuant to same terms and conditions set forth in the preceding paragraph.

When stocks are available lot lists are issued by GFA Peanut Association, Camilla, Ga., Peanut Growers' Cooperative Marketing Association, Franklin, Va., Southwestern Peanut Growers' Association, Gorman, Tex.

FLAXSEED, BULK

Unrestricted use.

A. *Storable.* Market price basis in store,¹ but not less than the applicable 1965 support price for the class, grade, and quality of flaxseed plus 14½ cents per bushel, and plus the respective amount shown below applicable to the type of carrier involved. If delivery is outside the area of production applicable freight and handling will be added to the above.

B.

Markup per bushel received by—		Examples of minimum prices (exrail or barge)		
Truck	Rail or barge	Terminal	Class and grade	Price
Cents 8	Cents 3½	Minneapolis	No. 1.....	\$3.33

C. *Nonstorable.* At not less than market price as determined by CCC.

D. *Available.* Through the Minneapolis Grain Merchandising ASCS office.

Export.

Under Announcement PS-GR-4 dispositions of flaxseed, as designated by CCC, will be in redemption of export PIK certificates at the domestic market price as determined by CCC.

Available. Through the Minneapolis Grain Merchandising ASCS office.

LINSEED OIL, RAW, BULK

Export.

Under Announcement PS-GR-4 dispositions of raw linseed oil, as designated by CCC, will be in redemption of export PIK certificates at the domestic market price as determined by CCC.

Available. Through the Minneapolis ASCS Commodity Office.

DAIRY PRODUCTS

Sales are in carlots only in-store at storage location of products.

Submission of offers.

Submit offers to the Minneapolis ASCS Commodity Office.

NONFAT DRY MILK

Unrestricted use.

Announced prices, under MP-14: Spray process, U.S. Extra Grade, 16.40 cents per pound.

Export.

A. Payment-in-kind under SM-7 (Revision 1).

B. Competitive bid, under MP-10, pursuant to invitation to bid to be issued by Minneapolis ASCS Commodity Office. Sales under this announcement may be made for application to barter and approved CCC credit.

Any nonfat dry milk offered but not sold under the invitation to bid issued pursuant

to MP-10 will be offered for sale through the following Monday noon at prices announced by press release from the Minneapolis ASCS Commodity Office each Wednesday.

BUTTER

Unrestricted use.

Announced prices, under MP-14: 63.0 cents per pound—New York, Pennsylvania, New Jersey, New England, and other States bordering the Atlantic Ocean and Gulf of Mexico. 62.25 cents per pound—Washington, Oregon, and California. All other States 62.0 cents per pound.

Export.

A. Payment-in-kind under SM-7 (Revision 1).

B. Competitive bid under Announcement MP-10, pursuant to invitations to bid to be issued by Minneapolis ASCS Commodity Office. Sales under this announcement may be made for application to barter and CCC credit.

CHEDDAR CHEESE (STANDARD MOISTURE BASIS)

Unrestricted use.

Announced prices, under MP-14: 41.25 cents per pound—New York, Pennsylvania, New Jersey, New England, and other States bordering the Atlantic Ocean and Pacific Ocean and the Gulf of Mexico. All other States 40.25 cents per pound.

Export.

Competitive bid under Announcement MP-10, pursuant to invitation to bid to be issued by Minneapolis ASCS Commodity Office. Announced prices under MP-10. Sales under this announcement may be made for application to CCC credit.

Any cheese offered but not sold under the invitation to bid issued pursuant to MP-10 will be offered for sale through the following Monday noon at prices announced by press release from the Minneapolis ASCS Commodity Office each Wednesday.

FOOTNOTES:

¹ The delivery basis for these examples is "in-store", and market prices will be on the same basis. The formula price delivery basis for bin site sales will be f.o.b.

² To compute, multiply applicable support price by 1.05, round product up to nearest whole cent and add amount shown in the appropriate table and any applicable freight.

³ Woodford County, Ill., origin.

⁴ Redwood County, Minn., origin.

USA AGRICULTURAL STABILIZATION AND CONSERVATION SERVICE OFFICES

GRAIN OFFICES

Evanston ASCS Commodity Office, 2201 Howard Street, Evanston, Ill., 60202. Telephone: Long distance—University 9-0600 (Evanston Exchange). Local—Rogers Park 1-5000 (Chicago, Ill.).

Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kentucky, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Virginia, Vermont, and West Virginia.

Branch Office—Minneapolis ASCS Branch Office, 310 Grain Exchange Building, Minneapolis, Minn., 55415. Telephone: 334-2051.

Minnesota, Montana, North Dakota, South Dakota, and Wisconsin.

Kansas City ASCS Commodity Office, 8930 Ward Parkway (P.O. Box 205), Kansas City, Mo., 64141. Telephone: Emerson 1-0860.

Alabama, Arkansas, Colorado, Kansas, Louisiana, Mississippi, Missouri, Nebraska, New Mexico, Oklahoma, Texas, and Wyoming.

Branch Office—Portland ASCS Branch Office, 1218 Southwest Washington Street, Portland, Oreg., 97205. Telephone: 226-3361.

Alaska, Hawaii, Idaho, Nevada, Oregon, Utah, and Washington (Domestic and Export Sales), Arizona and California (Export sales only).

Branch Office—Berkeley ASCS Branch Office, 2020 Milvia Street, Berkeley, Calif., 94704. Telephone: Thornwall 1-5121. Arizona and California (Domestic sales only).

PROCESSED COMMODITIES OFFICE—(ALL STATES)

Minneapolis ASCS Commodity Office, 6400 France Avenue South, Minneapolis, Minn., 55410. Telephone: 334-3200.

COTTON OFFICES—(ALL STATES)

New Orleans ASCS Commodity Office, Wirth Building, 120 Marais Street, New Orleans, La., 70112. Telephone: 527-7766.

GENERAL SALES MANAGER OFFICES

Representative of General Sales Manager, New York Area: Joseph Reidinger, 80 Lafayette Street, New York, N.Y., 10013. Telephone: 264-8439, 8440, 8441.

Representative of General Sales Manager, West Coast Area: Callan B. Duffy, Appraisers' Building, Room 802, 630 Sansome Street, San Francisco, Calif., 94111. Telephone: 556-6185.

(Sec. 4, 62 Stat. 1070, as amended; 15 U.S.C. 714b. Interpret or apply sec. 407, 63 Stat. 1066; sec. 105, 63 Stat. 1051, as amended by 76 Stat. 612; secs. 303, 306, and 307, 76 Stat. 614-617; 7 U.S.C. 1427; and 1441 (note))

Signed at Washington, D.C., on August 10, 1965.

H. D. GODFREY,

Executive Vice President,

Commodity Credit Corporation.

[P.R. Doc. 65-8573; Filed, Aug. 16, 1965; 8:46 a.m.]

DEPARTMENT OF COMMERCE

Bureau of International Commerce

[Filed No. 23(65)-21]

AMERICAN UNIVERSAL EQUIPMENT CO.

Order Denying Export Privileges for an Indefinite Period

In the matter of Harry Gretzke doing business as American Universal Equipment Co., Vaduz, Liechtenstein, Brussels, Belgium, Tel Aviv, Israel, File No. 23(65)-21, Respondent.

The Director, Investigations Division, Office of Export Control, Bureau of International Commerce, U.S. Department of Commerce, has applied for an order denying to the above-named respondent all export privileges for an indefinite period because the said respondent failed to furnish answers to interrogatories and failed to furnish certain records and other writings specifically requested, without good cause being shown. This application was made pursuant to § 382.15 of the export regulations (Title 15, Chapter III, Subchapter B, Code of Federal Regulations).

In accordance with the usual practice, the application for an Indefinite Denial Order was referred to the Compliance Commissioner, Bureau of International Commerce, who after consideration of the evidence has recommended that the application be granted. The report of the Compliance Commissioner and the

evidence in support of the application have been considered.

The evidence presented shows that the respondent Harry Gretzke does business under the firm name and style of American Universal Equipment Co.; that the respondent now has or in the recent past has had places of business in Vaduz, Liechtenstein; Brussels, Belgium; and Tel Aviv, Israel; that the respondent is engaged in the import-export business and has dealt with commodities of U.S. origin; that he purchased and received several shipments of U.S.-origin commodities, including parts for diesel engines and other miscellaneous machine spare parts. The aforesaid Investigations Division is conducting an investigation into the disposition by said respondent of said commodities. It is impracticable to subpoena the respondent, and relevant and material interrogatories and request to furnish certain specific documents relating to his disposition of said commodities were served on him pursuant to § 382.15 of the export regulations. Said respondent has failed to furnish answers to said interrogatories or to furnish the documents requested, as required by said section, and he has not shown good cause for such failure. I find that an order denying export privileges to said respondent for an indefinite period is reasonably necessary to protect the public interest and to achieve effective enforcement of the Export Control Act of 1949, as amended.

Accordingly, it is hereby ordered: I. All outstanding validated export licenses in which respondent appears or participates in any manner or capacity are hereby revoked and shall be returned forthwith to the Bureau of International Commerce for cancellation.

II. The respondent, his representatives, agents, and employees hereby are denied all privileges of participating, directly or indirectly, in any manner or capacity, in any transaction involving commodities or technical data exported from the United States in whole or in part, or to be exported, or which are otherwise subject to the export regulations. Without limitation of the generality of the foregoing, participation prohibited in any such transaction, either in the United States or abroad, shall include participation, directly or indirectly, in any manner or capacity: (a) As a party or as a representative of a party to any validated export license application; (b) in the preparation or filing of any export license application or reexportation authorization, or any document to be submitted therewith; (c) in the obtaining or using of any validated or general export license or other export control document; (d) in the carrying on of negotiations with respect to, or in the receiving, ordering, buying, selling, delivering, storing, using, or disposing of any commodities or technical data in whole or in part exported or to be exported from the United States; and (e) in the financing, forwarding, transporting, or other servicing of such commodities or technical data.

III. Such denial of export privileges shall extend not only to the respondent, but also to his agents and employees and to any person, firm, corporation, or business organization with which he now or hereafter may be related by affiliation, ownership, control, position of responsibility, or other connection in the conduct of trade or services connected therewith.

IV. This order shall remain in effect until the respondent provides responsive answers, written information and documents in response to the interrogatories heretofore served upon him or gives adequate reasons for failure to do so, except insofar as this order may be amended or modified hereafter in accordance with the export regulations.

V. No person, firm, corporation, partnership or other business organization, whether in the United States or elsewhere, without prior disclosure to and specific authorization from the Bureau of International Commerce, shall do any of the following acts, directly or indirectly, or carry on negotiations with respect thereto, in any manner or capacity, on behalf of or in any association with the respondent or any related party, or whereby the respondent or related party may obtain any benefit therefrom or have any interest or participation therein, directly or indirectly: (a) Apply for, obtain, transfer, or use any license, Shipper's Export Declaration, bill of lading, or other export control document relating to any exportation, reexportation, transshipment, or diversion of any commodity or technical data exported or to be exported from the United States, by, to, or for any such respondent or related party denied export privileges; or (b) order, buy, receive, use, sell, deliver, store, dispose of, forward, transport, finance, or otherwise service or participate in any exportation, reexportation, transshipment, or diversion of any commodity or technical data exported or to be exported from the United States.

VI. A copy of this order shall be served on respondent.

VII. In accordance with the provisions of § 382.15 of the export regulations, the respondent may move at any time to vacate or modify this Indefinite Denial Order by filing with the Compliance Commissioner, Bureau of International Commerce, U.S. Department of Commerce, Washington, D.C., 20230, an appropriate motion for relief, supported by substantial evidence, and may also request an oral hearing thereon, which, if requested shall be held before the Compliance Commissioner at Washington, D.C., at the earliest convenient date.

This order shall become effective on August 17, 1965.

Dated: August 9, 1965.

RAUER H. MEYER,
Acting Director,
Office of Export Control.

[F.R. Doc. 65-8527; Filed, Aug. 16, 1965; 8:45 a.m.]

Office of the Secretary

FRANK R. BAILEY

Statement of Changes in Financial Interests

In accordance with the requirements of section 710(b) (6) of the Defense Production Act of 1950, as amended, and Executive Order 10647 of November 28, 1955, the following changes have taken place in my financial interests as reported in the FEDERAL REGISTER during the past 6 months:

- A. Deletions: No change.
- B. Additions: No change.

This statement is made as of August 1, 1965.

Dated: August 2, 1965.

FRANK R. BAILEY.

[F.R. Doc. 65-8603; Filed, Aug. 16, 1965; 8:45 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

ENRICHED BREAD DEVIATING FROM IDENTITY STANDARD

Notice of Extension of Temporary Permit To Cover Market Testing

Pursuant to § 10.5(j) of Title 21, Code of Federal Regulations, concerning temporary permits to facilitate market testing foods deviating from the requirements of the standards of identity established under authority of section 401 of the Federal Food, Drug, and Cosmetic Act, notice is given that the temporary permit held by Continental Baking Co., Rye, N.Y., 10580, to cover interstate marketing tests of enriched bread deviating from the requirements of the standard of (21 CFR 17.2) is extended. The bread deviates from the requirements of the standard in that it will contain inactive dried torula yeast, complying with § 121.1125 of the food additive regulations, in a quantity not to exceed 2 parts for each 100 parts by weight of flour used. The labels will bear a statement to show the presence of the added dried torula yeast. This statement will immediately follow the name "enriched bread" wherever it appears prominently and conspicuously on the label.

This permit expires July 7, 1966.

(Sec. 401, 701, 52 Stat. 1046, as amended; 21 U.S.C. 341, 371)

Dated: August 10, 1965.

GEO. P. LARRICK,
Commissioner of Food and Drugs.

[F.R. Doc. 65-8657; Filed, Aug. 16, 1965; 8:49 a.m.]

GEIGY INDUSTRIAL CHEMICALS**Notice of Filing of Petition for Food Additive Disodium Ethylenediaminetetraacetate**

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786; 21 U.S.C. 348 (b)(5)), notice is given that a petition (FAP 6A1822) has been filed by Geigy Industrial Chemicals, Division of Geigy Chemical Corp., Post Office Box 430, Yonkers, N.Y., 10702, proposing an amendment to § 121.1056 Disodium EDTA to provide for the safe use of 65 parts per million of disodium ethylenediaminetetraacetate in canned mashed bananas as a color stabilizer.

Dated: August 10, 1965.

J. K. KIRK,
Assistant Commissioner
for Operations.

[F.R. Doc. 65-8658; Filed, Aug. 16, 1965;
8:49 a.m.]

H. KOHNSTAMM & CO., INC.**Notice of Filing of Petition Regarding Color Additive Carmine**

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 706(d), 74 Stat. 403; 21 U.S.C. 376(d)), notice is given that a petition (CAP 20) has been filed by H. Kohnstamm & Co., Inc., New York, N.Y., 10013, proposing the issuance of a regulation to provide for the safe use and exemption from certification of carmine (aluminum-calculum lake of carminic acid extracted from cochineal) as a color for foods, drugs, and cosmetics without quantitative limitations.

Dated: August 10, 1965.

J. K. KIRK,
Assistant Commissioner
for Operations.

[F.R. Doc. 65-8659; Filed, Aug. 16, 1965;
8:49 a.m.]

MONSANTO CO.**Notice of Filing of Petition for Food Additives**

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786; 21 U.S.C. 348 (b)(5)), notice is given that a petition (FAP 4B1254) has been filed by Monsanto Co., 812 Monsanto Avenue, Springfield, Mass., 01101, proposing an amendment to § 121.2527 Antistatic agents in plastics to provide for the use of N,N-bis(2-hydroxyethyl) alkyl(C₁₂) amide as an antistatic agent in polyethylene used in articles that contact food, except milk and food for infants that are under 1 year of age.

Dated: August 11, 1965.

J. K. KIRK,
Assistant Commissioner
for Operations.

[F.R. Doc. 65-8660; Filed, Aug. 16, 1965;
8:49 a.m.]

No. 158—5

SPECIAL NUTRIENTS, INC.**Notice of Filing of Petition Regarding Color Additives**

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 706(d), 74 Stat. 403; 21 U.S.C. 376(d)), notice is given that a petition (CAP 33) has been filed by Special Nutrients, Inc., Bay Harbor Islands, Fla., proposing that § 8.306 be amended to provide for the use of an extract of the flower petals of the Aztec marigold (*Tagetes erecta* L.) for the same purposes set forth in that section. Section 8.306 now provides for the use only of the dried flower petals. The extract will be prepared by a hexane extraction of the dried flower petals with subsequent removal of the hexane. Exemption from certification is requested.

Dated: August 10, 1965.

J. K. KIRK,
Assistant Commissioner
for Operations.

[F.R. Doc. 65-8661; Filed, Aug. 16, 1965;
8:49 a.m.]

Office of Education**FEDERAL FINANCIAL ASSISTANCE IN CONSTRUCTION OF NONCOMMERCIAL EDUCATIONAL TELEVISION BROADCAST FACILITIES****Notice of Acceptance of Applications for Filing**

Notice is hereby given that effective with this publication the following described applications, for Federal financial assistance in the construction of noncommercial educational television broadcast facilities are accepted for filing in accordance with 45 CFR 60.7:

Alabama Educational Television Commission, 2151 Highland Avenue, Suite 206, Birmingham, Ala., File No. 109, for the establishment of a new noncommercial educational television station on channel 57, Florence, Ala.

Southern Colorado State College, Pueblo, Colo., File No. 110, for the establishment of a new noncommercial educational television station on channel 8, Pueblo, Colo.

Any interested person may, pursuant to 45 CFR 60.8, within 30 calendar days from the date of this publication, file comments regarding the above application with the Director, Educational Television Facilities Program, U.S. Office of Education, Washington, D.C., 20202.

(76 Stat. 64, 47 U.S.C. 390)

RAYMOND J. STANLEY,
Director, Educational Television
Facilities Program, Office
of Education.

[F.R. Doc. 65-8662; Filed, Aug. 16, 1965;
8:49 a.m.]

ATOMIC ENERGY COMMISSION

[Docket No. 50-225]

RENSSELAER POLYTECHNIC INSTITUTE**Notice of Issuance of Facility License Amendment**

Please take notice that no request for a formal hearing having been filed following publication of the notice of proposed action in the FEDERAL REGISTER on July 23, 1965, 30 F.R. 9224, the Atomic Energy Commission has issued Amendment No. 1 to Facility License No. CX-22. The license amendment, in accordance with the application dated August 25, 1964, and amendments thereto dated December 23 and 28, 1964, February 12, 1965 and March 4, 1965, authorizes Rensselaer Polytechnic Institute to operate its critical experiment facility located in Schenectady, N.Y. The license as previously issued authorized the licensee to own and possess, but not to operate, the facility.

The license amendment, as issued, is in the form published in the notice of proposed action.

Dated at Bethesda, Md., this 10th day of August 1965.

For the Atomic Energy Commission.

E. G. CASE,
Director,
Division of Reactor Licensing.

[F.R. Doc. 65-8607; Filed, Aug. 16, 1965;
8:45 a.m.]

CIVIL AERONAUTICS BOARD

[Docket No. 15353; Order E-22532]

INTERNATIONAL AIR TRANSPORT ASSOCIATION**Order Relating to Specific Commodity Rates**

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 11th day of August 1965.

Pursuant to section 412(a) of the Federal Aviation Act of 1958 (the Act) and Part 261 of the Board's Economic Regulations, there has been filed with the Board an agreement between various air carriers, foreign air carriers, and other carriers, embodied in the resolutions of Joint Conference 1-2 and 3-1 of the International Air Transport Association (IATA), and adopted pursuant to the provisions of Resolution 590 dealing with specific commodity rates.

The agreement, adopted pursuant to unprotested notices to the carriers and promulgated in IATA letters dated July 13, 19, and 26, 1965, (1) names rates, as set forth in Attachment A hereto, from Okinawa to Los Angeles, New York, Portland, San Francisco, and Seattle, and (2) as set forth in Attachment B hereto, names additional rates for existing commodity descriptions and names rates under a new commodity description. These rates will afford significant reduction from the otherwise applicable rates and are consistent with the pres-

ent specific commodity rates in these areas. However, the rates in Attachment A relate to overseas transportation within the meaning of the Act, and therefore are not a proper subject matter for IATA agreement. Accordingly, we are herein disapproving that portion of the agreement set forth in Attachment A.

The Board, acting pursuant to sections 102, 204(a), and 412 of the Act, makes the following findings:

1. The Board finds that the rates set forth in Attachment A relating to overseas air transportation are not a proper subject matter for IATA agreement and therefore the agreement, insofar as it relates to such rates, is adverse to the public interest and in violation of the Act.

2. The Board does not find the agreement, insofar as it relates to the rates set forth in Attachment B, to be adverse to the public interest or in violation of the Act, provided that approval thereof is conditioned as hereinafter ordered.

Accordingly, it is ordered, That: 1. That portion of Agreement CAB 18169, R-17 as set forth in Attachment A is disapproved.

2. That portion of Agreement CAB 18169, R-17 through R-19 as set forth in Attachment B is approved, provided that such approval shall not constitute approval of the specific commodity descriptions contained therein for purposes of tariff publication.

Any air carrier party to the agreement, or any interested person, may, within 15 days from the date of service of this order, submit statements in writing containing reasons deemed appropriate, together with supporting data, in support of or in opposition to the Board's action herein. An original and 19 copies of the statements should be filed with the Board's Docket Section. The Board may, upon consideration of any such statements filed, modify or rescind its action herein by subsequent order.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON,
Secretary.

Agreement CAB 18169, R-17; IATA Letter dated July 13, 1965. Commodity Item 2741—Toupees, Wigs, and Switches; finished or semifinished, 215 cents per kg., minimum weight 100 kgs. Okinawa to New York. 185 cents per kg., minimum weight 100 kgs. Okinawa to Los Angeles, Portland, San Francisco, and Seattle.

SPECIFIC COMMODITY RATES UNDER A NEW DESCRIPTION

Agreement CAB 18169, R-17; IATA Letter dated July 13, 1965. Commodity Item 2741—Toupees, Wigs, and Switches; finished or semifinished, 215 cents per kg., minimum weight 100 kgs. Okinawa to Montreal. 215 cents per kg., minimum weight 100 kgs. Hong Kong/Seoul to New York. 185 cents per kg., minimum weight 100 kgs. Okinawa to Vancouver. 185 cents per kg., minimum weight 100 kgs. Hong Kong/Seoul to Los Angeles, Portland, San Francisco, and Seattle.

ADDITIONAL SPECIFIC COMMODITY RATES

Agreement CAB 18169, R-17; IATA Letter dated July 13, 1965. Commodity Item 0300

—Fish and Seafood, N.E.S., and parts thereof. 72 cents per kg., minimum weight 100 kgs. Sydney to Honolulu.

Agreement CAB 18169, R-18; IATA Letter dated July 19, 1965. Commodity Item 2203—Clothing, Footwear, Outerwear, Undergarments, N.E.S. excluding umbrellas, billfolds, purses, carrying cases, handbags, costume jewelry, jewelry, canes, watches and clocks, and parts thereof. 252 cents per kg., minimum weight 45 kgs. Bombay to New York.

Agreement CAB 18169, R-18; IATA Letter dated July 19, 1965. Commodity Item 9603—Smokers' requisites, consisting only of pipes, humidors, cigar and cigarette holders, lighters, ashtrays, tobacco pouches, pipe cleaners; cigar, cigarette, and pipe cases; pipe racks; pipe reamers; cigar, cigarette, and pipe filters; and parts thereof. 70 cents per kg., minimum weight 200 kgs. 65 cents per kg., minimum weight 300 kgs. New York to London.

Agreement CAB 18169, R-19; IATA Letter dated July 26, 1965. Commodity Item 6227—Pyrethrum Extract. 98 cents per kg., minimum weight 2,000 kgs. Nairobi to New York.

[F.R. Doc. 65-8668; Filed, Aug. 16, 1965; 8:50 a.m.]

[Docket No. 16165]

EASTERN AIR LINES, INC., AND LINEAS AEREAS NACIONALES, S.A., ET AL.

Notice of Prehearing Conference

Agreement between Eastern Air Lines, Inc., and Lineas Aereas Nacionales, S.A., et al.

Notice is hereby given that a prehearing conference in the above-entitled

Call letters	Location	Power kw	Antenna	Schedule	Class	Expected date of commencement of operation
CEAP (assignment of call letters).	Kapuskasing, Ontario...	1 kw. 890 kc/s	DA-1	U	III	
CKSA (now in operation on new frequency).	Lloydminster, Alberta...	10 kw. 1080 kc/s	DA-N	U	II	
CKSA (delete assignment—vide 1080 kc/s).	Lloydminster, Alberta...	10 kw. 1150 kc/s	DA-2	U	III	
CKMP (PO 1230 kc/s 0.25 kw ND).	Midland, Ontario.....	1 kw D/0.25 kw N. 1880 kc/s	ND	U	IV	EIO. 7-1-66.
New.....	Gravenhurst, Ontario...	1 kw. 1880 kc/s	ND	D	III	EIO. 7-1-66.
CKCR (assignment of call letters).	Collingwood, Ontario...	0.25 kw. 1400 kc/s	ND	U	IV	
New (delete assignment).	Gravenhurst, Ontario...	1 kW D/ 0.25 kW N	ND	U	IV	

[SEAL]

FEDERAL COMMUNICATIONS
COMMISSION,
BEN P. WAPLE,
Secretary.

[F.R. Doc. 65-8674; Filed, Aug. 16, 1965; 8:50 a.m.]

FEDERAL MARITIME COMMISSION

[Docket No. 85-29]

FAR EAST CONFERENCE

Imposition of Surcharge at Searsport, Maine; Order To Show Cause

In Docket No. 1155, Imposition of Surcharge on Cargo to Manila, Republic of Philippines, February 3, 1965, the Commission found that respondent Maersk Line, by imposing a surcharge on news-

print at Searsport, Maine, and by failing to apply a surcharge at St. John, New Brunswick, Canada, has demanded, charged, and collected a charge which is unjustly discriminatory between shippers and ports and unjustly prejudicial to exporters of the United States as compared with their foreign competitors contrary to section 17 of the Shipping Act, 1916. Based upon this finding, the Commission ordered Maersk to cease and desist from assessing on newsprint moving from Searsport, Maine to Manila, a

Dated at Washington, D.C., August 11, 1965.

[SEAL] FRANCIS W. BROWN,
Chief Examiner.

[F.R. Doc. 65-8669; Filed, Aug. 16, 1965; 8:50 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[Canadian List 202]

CANADIAN BROADCAST STATIONS Changes, Proposed Changes and Corrections in Assignments

JULY 16, 1965.

Notification under the provisions of Part III, section 2 of the North American Regional Broadcasting Agreement.

List of changes, proposed changes and corrections in assignments of Canadian Broadcast Stations modifying appendix containing assignments of Canadian Broadcast Stations (Mimeograph No. 47214-3) attached to the recommendations of the North American Regional Broadcasting Agreement Engineering Meeting.

surcharge which is prejudicial and discriminatory to exporters of newsprint from the United States and to the port of Seaport, Maersk was ordered to notify the Commission within 15 days of the date of the order (Feb. 3, 1965) of the manner in which it would eliminate such prejudice and discrimination.

Thereafter, Maersk applied for an enlargement until April 19, 1965, within which they must comply with the order. On February 19, 1965, the Commission denied the request and Maersk was again directed to end the discrimination. Upon application of the Commission to the U.S. District Court for the Southern District of New York, Maersk was directed to show cause why an order should not be made by the District Court pursuant to section 29 of the Shipping Act to enforce obedience by Maersk to the Commission's order of February 3, 1965. In subsequently ruling upon that order to show cause, the District Court refused to enter an injunction against Maersk on two grounds: (1) That Maersk was not serving Seaport and, therefore, it was not necessary that it change a rate applicable at that port, and (2) That Maersk, having on three occasions petitioned the Far East Conference to eliminate the Seaport surcharge in order to allow Maersk to comply with the order, and was not permitted by the Conference to make the change, could not comply with the order.

The Commission is of the opinion that immediate steps should be taken to end the discrimination against exporters through the port of Seaport and against that port itself.

Therefore, it is ordered, That the Far East Conference pursuant to sections 15 and 22 of the Shipping Act show cause why Agreement No. 17 should not be amended to remove the port of Seaport from the trading range of the conference because the applicable tariffs of the conference result in a situation which is detrimental to the commerce of the United States, contrary to the public interest, and otherwise in violation of the Shipping Act. This proceeding shall be limited to the submission of affidavits and memoranda, replies thereto, and oral argument. Affidavits of fact and memoranda of law shall be filed by the conference no later than close of business August 23, 1965. Replies shall be submitted by Hearing Counsel and interveners, if any, no later than close of business September 8, 1965. An original and 15 copies of such affidavits of fact and memoranda of law, and replies thereto, are required and must be addressed to the Secretary, Federal Maritime Commission, Washington, D.C., 20573. Copies of any papers filed with the Secretary should also be served upon all parties hereto. Oral argument will be heard at 9:30 a.m., September 16, 1965, in Room 114, 1321 H Street NW., Washington, D.C.

It is further ordered, That the Far East Conference and the member lines thereof as indicated in Appendix A attached hereto are hereby made respondents in this proceeding.

It is further ordered, That this order be published in the FEDERAL REGISTER and a

copy of such order be served upon each respondent.

Persons other than respondents and Hearing Counsel who desire to become a party to this proceeding shall file a petition for leave to intervene in accordance with Rule 5(n) (46 CFR § 201.74) of the Commission's rules of practice and procedure no later than close of business August 19, 1965, with copy to respondent Far East Conference.

By the Commission.

[SEAL]

THOMAS LISI,
Secretary.

APPENDIX A

FAR EAST CONFERENCE (17)

J. A. DENNEAN, Chairman, Room 760, 11 Broadway, New York, N.Y., 10004.

Member Lines:

American President Lines, Ltd., 601 California Street, San Francisco, Calif.
Fern-Ville Lines—Fearnley & Eger and A. F. Klavness & Co., A/S Fearnley & Eger, Inc., general agents, 39 Broadway, New York 6, N.Y.
Isthmian Lines, Inc., States Marine-Isthmian Agency, Inc., 90 Broad Street, New York 4, N.Y.
Japan Line, Ltd., A. L. Burbank & Co., Ltd., agents, 120 Wall Street, New York 5, N.Y.
Kawasaki Kisen Kaisha, Ltd., Kerr Steamship Co., Inc., general agents, 51 Broad Street, New York 4, N.Y.
Lykes Bros. Steamship Co., Inc., 821 Gravier Street, New Orleans 12, La.
Maritime Company of the Philippines, Inc., North American Maritime Agencies, general agents, 26 Broadway, New York 4, N.Y.
Mitsui O.S.K. Lines, Ltd., 17 Battery Place, New York 4, N.Y.
A. P. Moller-Maersk Line, 67 Broad Street, New York 4, N.Y.
Nippon Yusen Kaisha, Ltd., 25 Broadway, New York 4, N.Y.
States Marine Lines, 90 Broad Street, New York 4, N.Y.
United Philippine Lines, Inc., Stockard Co., Inc., general agents, 17 Battery Place, New York 4, N.Y.
United States Lines Co. (American Pioneer Line), One Broadway, New York 4, N.Y.
Wilh. Wilhelmsen Interests, Barber Steamship Lines, Inc., agents, 17 Battery Place, New York 4, N.Y.
Yamashita-Shinnihon Steamship Co., Ltd., Texas Transport & Terminal Co., Inc., agents, 52 Broadway, New York 4, N.Y.

[F.R. Doc. 65-8651; Filed, Aug. 16, 1965; 8:48 a.m.]

MOORE-McCORMACK LINES, INC., AND SEATRAN LINES, INC.

Notice of Agreement Filed for Approval

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1321 H Street NW., Room 301; or may inspect agreement at the offices of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments with reference to an agreement including a

request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C., 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the comments should indicate that this has been done.

Notice of agreement filed for approval by:

Mr. J. Hughes, Assistant Rate Manager, Seatrain Lines, Inc., 595 River Road, Edgewater, N.J.

Agreement 9485, between Moore-McCormack Lines, Inc., and Seatrain Lines, Inc., covers a through billing arrangement on the movement of general cargo from ports in Brazil, Argentina, and Uruguay to ports in Puerto Rico with transshipment at New York, N.Y., under terms and conditions set forth in the agreement.

Dated: August 12, 1965.

By order of the Federal Maritime Commission.

THOMAS LISI,
Secretary.

[F.R. Doc. 65-8652; Filed, Aug. 16, 1965; 8:48 a.m.]

UNITED PHILIPPINE LINES, INC., AND SEATRAN LINES, INC.

Notice of Agreement Filed for Approval

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1321 H Street NW., Room 301; or may inspect agreement at the offices of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments with reference to an agreement including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C., 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the comments should indicate that this has been done.

Notice of agreement filed for approval by:

Mr. J. Hughes, Assistant Rate Manager, Seatrain Lines, Inc., 595 River Road, Edgewater, N.J.

Agreement 9484, between United Philippine Lines, Inc., and Seatrain Lines, Inc., covers a through billing arrangement for the movement of general cargo from ports in Japan, Hong Kong, and the Republic of the Philippines to ports in Puerto Rico with transshipment at New York, N.Y., under terms and conditions set forth in the agreement.

Dated: August 12, 1965.

By order of the Federal Maritime Commission.

THOMAS LISI,
Secretary.

[F.R. Doc. 65-8653; Filed, Aug. 16, 1965;
8:48 a.m.]

FEDERAL POWER COMMISSION

[Docket Nos. G-5145 etc.]

HUMBLE OIL & REFINING CO. ET AL. Findings and Order After Statutory Hearing

AUGUST 9, 1965.

Each of the Applicants listed herein has filed an application pursuant to section 7 of the Natural Gas Act for a certificate of public convenience and necessity authorizing the sale and delivery of natural gas in interstate commerce, for permission and approval to abandon service, or a petition to amend an existing certificate authorization, all as more fully described in the respective applications and petitions (and any supplements or amendments thereto) which are on file with the Commission.

The Applicants herein have filed related FPC Gas Rate Schedules and propose to initiate or abandon, add or delete natural gas service in interstate commerce as indicated by the tabulation herein. All sales certificated herein are either equal to or below the ceiling prices established by the Commission's Statement of General Policy 61-1, as amended, or involve sales for which permanent certificates have been previously issued.

Hanley Co., et al., Applicant in Docket No. G-13212, proposes to continue in part the sale of natural gas heretofore authorized in Docket No. G-5145 and made pursuant to Humble Oil & Refining Co. (Operator), et al., FPC Gas Rate Schedule No. 5. Hanley will sell gas from the acquired acreage pursuant to its FPC Gas Rate Schedule No. 19 at the same rate that Humble has made the sale. The presently effective rate under Humble's rate schedule is in effect subject to refund in Docket No. RI65-11. Accordingly, Hanley will be made a co-respondent in said proceeding, the proceeding will be redesignated, and Hanley will be required to file an agreement and undertaking to assure the refund of any amounts collected by it for sales of natural gas from the acquired acreage in excess of the amount determined to be just and reasonable in said proceeding.

Texaco Inc., Applicant in Docket No. CI65-1237, proposes to abandon the sale of natural gas authorized in Docket No. CI61-1757. An unconditioned temporary certificate was issued March 30, 1962, authorizing Applicant to commence the subject sale at an initial rate of 16.16831 cents per Mcf at 14.65 p.s.i.a. The certificate application was consolidated with Amerada Petroleum Corp., et al., Docket No. CI62-1544, et al., and a certificate was issued in the order accompanying Opinion No. 422 (31 FPC 623) at the "in-line" rate of 16.0 cents per Mcf. Inasmuch as there is a possibility that some portion of the initial 16.16831-cent rate

will have to be refunded,¹ the abandonment will be permitted and approved in Docket No. CI65-1237 but Applicant will remain responsible for any refunds which finally may be ordered in Docket No. CI61-1757. Docket No. CI61-1757 will remain consolidated with Docket No. CI62-1544, et al., for determination of the refund question.

After due notice, a joint petition of Southern California Gas Co., and Southern Counties Gas Co. of California, and a notice of intervention by the Public Utilities Commission of the State of California were filed on June 23, and June 28, 1965, respectively, in Docket No. G-13212. Notices of withdrawal of the respective interventions by the respective interveners were filed on July 19, 1965, in Docket No. G-13212. No other petitions to intervene, notices of intervention, or protests to the granting of any of the respective applications or petitions in this order have been received.

At a hearing held on August 5, 1965, the Commission on its own motion received and made a part of the record in these proceedings all evidence, including the applications, amendments and exhibits thereto, submitted in support of the respective authorizations sought herein, and upon consideration of the record.

The Commission finds:

(1) Each Applicant herein is a "natural-gas company" within the meaning of the Natural Gas Act as heretofore found by the Commission or will be engaged in the sale of natural gas in interstate commerce for resale for ultimate public consumption, subject to the jurisdiction of the Commission, and will, therefore, be a "natural-gas company" within the meaning of said act upon the commencement of the service under the respective authorizations granted hereinafter.

(2) The sales of natural gas hereinbefore described, as more fully described in the respective applications, amendments and/or supplements herein, will be made in interstate commerce, subject to the jurisdiction of the Commission, and such sales by the respective Applicants, together with the construction and operation of any facilities subject to the jurisdiction of the Commission necessary therefor, are subject to the requirements of subsections (c) and (e) of section 7 of the Natural Gas Act.

(3) The sales of natural gas by the respective Applicants, together with the construction and operation of any facilities subject to the jurisdiction of the Commission necessary therefor, are required by the public convenience and necessity, and certificates therefor should be issued as hereinafter ordered and conditioned.

(4) The respective Applicants are able and willing properly to do the acts and to perform the services proposed and to conform to the provisions of the Natural Gas Act and the requirements, rules, and regulations of the Commission thereunder.

¹ See P.S.C. of the State of New York v. F.P.C., 329 F.2d 242, cert. denied sub nom. Prado Oil & Gas Co. v. F.P.C. and Skelly Oil Co., et al. v. F.P.C., 377 U.S. 963.

(5) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act and the public convenience and necessity require that the certificate authorizations heretofore issued by the Commission in Docket Nos. G-5145, G-11159, G-13212, G-16139, CI62-1459, CI63-1111, CI64-1136, CI65-616, and CI65-734 should be amended as hereinafter ordered.

(6) The sales of natural gas proposed to be abandoned by the respective Applicants, as hereinbefore described, all as more fully described in the tabulation herein and in the respective applications, are subject to the requirements of subsection (b) of section 7 of the Natural Gas Act, and such abandonments should be permitted and approved as hereinafter ordered.

(7) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that the abandonment hereinafter permitted and approved in Docket No. CI65-1237 should not be construed to relieve Applicant therein from the responsibility for any refunds which finally may be ordered in Docket No. CI61-1757.

(8) The certificates of public convenience and necessity heretofore issued to the respective Applicants herein relating to the abandonments hereinafter permitted and approved should be terminated.

(9) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that Hanley Co., et al., should be made a co-respondent in the proceeding pending in Docket No. RI65-11,² that said proceeding should be redesignated accordingly, and that Hanley Co., et al., should be required to file an agreement and undertaking.

(10) The respective related rate schedules and supplements as designated or redesignated in the tabulation herein should be accepted for filing as hereinafter ordered.

The Commission orders:

(A) Certificates of public convenience and necessity are issued, upon the terms and conditions of this order, authorizing the sales by the respective Applicants herein of natural gas in interstate commerce for resale, together with the construction and operation of any facilities subject to the jurisdiction of the Commission necessary for such sales, all as hereinbefore described and as more fully described in the respective applications, amendments, supplements and exhibits in this proceeding.

(B) The certificates granted in paragraph (A) above are not transferable and shall be effective only so long as Applicants continue the acts or operations hereby authorized in accordance with the provisions of the Natural Gas Act and the applicable rules, regulations, and orders of the Commission.

(C) The grant of the certificates issued in paragraph (A) above shall not be construed as a waiver of the requirements of section 4 of the Natural Gas Act or of Part 154 or Part 157 of the Commission's regulations thereunder, and is

² Consolidated with Docket No. AR61-1, et al.

without prejudice to any findings or orders which have been or may hereafter be made by the Commission in any proceeding now pending or hereafter instituted by or against the respective Applicants. Further, our action in this proceeding shall not foreclose nor prejudice any future proceedings or objections relating to the operation of any price or related provisions in the gas purchase contracts herein involved. Nor shall the grant of the certificates aforesaid for service to the particular customers involved imply approval of all of the terms of the respective contracts, particularly as to the cessation of service upon termination of said contracts, as provided by section 7(b) of the Natural Gas Act. Nor shall the grant of the certificates aforesaid be construed to preclude the imposition of any sanctions pursuant to the provisions of the Natural Gas Act for the unauthorized commencement of any sales of natural gas subject to said certificates.

(D) The grant of the certificates issued herein on all applications filed after April 15, 1965, is upon the condition that no increase in rate which would exceed the ceiling prescribed for the given area by paragraph (d) of the Commission's Statement of General Policy 61-1, as amended, shall be filed prior to the applicable date, as indicated by footnotes 11 and 21 in the attached tabulation.

(E) The certificate in Docket No. CI65-942 is issued at a rate of 14.6334 cents per Mcf, subject to any applicable deduction for compression, to be effective January 23, 1962, the date Applicant acquired its interest in the property involved, pursuant to the revenue-sharing arrangement under the contract, on April 7, 1960, the date corresponding to the effective date of Hugoton Plains Gas & Oil Co.'s settlement order issued by the Commission on October 8, 1963.

(F) Applicant in Docket No. CI65-1332 is required to submit a revised billing statement to reflect the total rate of 17.5 cents per Mcf.

(G) The certificate issued herein in Docket No. CI65-1348 is subject to the conditions set forth in paragraphs (E), (F), and (G) of the order accompanying Opinion No. 350 (27 FPC 35).

(H) The certificates heretofore issued in Docket Nos. G-11159, G-13212, G-16139, CI63-1111, and CI65-616 are amended by adding thereto or deleting therefrom authorization to sell natural gas to the same purchasers and in the same areas as covered by the original authorizations, pursuant to the rate schedule supplements as indicated in the tabulation herein.

(I) The certificate heretofore issued in Docket No. G-5145 is amended by deleting therefrom authorization to sell natural gas from acreage assigned to Applicant in Docket No. G-13212.

(J) The certificate heretofore issued in Docket No. CI65-734 is amended to include the interests of signatory parties.

(K) The certificates heretofore issued in Docket Nos. CI62-1459 and CI64-1136 are amended by changing the certificate holders to the respective successors in interest as indicated in the tabulation herein.

(L) Permission for and approval of the abandonment of service by the respective Applicants, as hereinbefore described and as more fully described in the respective applications herein are granted.

(M) The abandonment herein permitted and approved in Docket No. CI65-1237 does not relieve Applicant therein from the responsibility for any refunds which finally may be ordered in Docket No. CI61-1757.

(N) The certificates heretofore issued in Docket Nos. G-16610, CI60-700, CI61-1191, CI61-1467, CI62-280, CI62-1075, CI63-704, CI63-705, and CI63-707 are terminated.

(O) Hanley Co., et al., is made a correspondent in the proceeding pending in Docket No. RI65-11 with respect to sales of natural gas made pursuant to its FPC Gas Rate Schedule No. 19 from acreage heretofore subject to Humble Oil & Refining Co. FPC Gas Rate Schedule No. 5, and said proceeding is redesignated accordingly.²

(P) Within 30 days of the issuance of this order Hanley Co., et al., shall execute, in the form set out below, and shall file with the Secretary of the Commission an acceptable agreement and undertaking in Docket No. RI65-11 to assure the refund of any amount collected by

it, together with interest at the rate of 7 percent per annum, in excess of the amount determined to be just and reasonable in said proceeding for sales of natural gas from acreage acquired from Humble Oil & Refining Co. Unless notified to the contrary by the Secretary of the Commission within 30 days from the date of submission, such agreement and undertaking shall be deemed to have been accepted for filing.

(Q) Hanley Co., et al., shall comply with the refunding and reporting procedure required by the Natural Gas Act and § 154.102 of the regulations thereunder, and the agreement and undertaking filed by Hanley Co., et al., in Docket No. RI65-11 shall remain in full force and effect until discharged by the Commission.

(R) The respective related rate schedules and supplements as indicated in the tabulation herein are accepted for filing; further, the rate schedules relating to the successions herein are redesignated and accepted, subject to the applicable Commission regulations under the Natural Gas Act to be effective on the dates as indicated in the tabulation herein.

By the Commission.

[SEAL]

GORDON M. GRANT,
Acting Secretary.

Docket No. and date filed	Applicant	Purchaser, field, and location	FPC rate schedule to be accepted		
			Description and date of document	No.	Supp.
G-5145 D 5-3-65	Humble Oil & Refining Co.	El Paso Natural Gas Co., Midland, Upton, Glasscock, and Reagan Counties, Tex.	Assignment 3-25-65 ¹ Effective date: 4-1-65	5	57
G-11159 D 5-6-65 ²	The Pure Oil Co.	Transcontinental Gas Pipe Line Corp., S. E. Gueydon Field, Vermillion Parish, La.	Notice of partial cancellation 5-4-65 ² Assignment 3-18-65 ² Effective date: 1-4-65	33	6
O G-13212 ³ (G-5145) F 5-19-65	Hanley Co., et al.	El Paso Natural Gas Co., Spraberry Field, Reagan County, Tex.	Assignment 3-20-65 ²	19	8
G-10189 D 5-28-65	Gulf Oil Corp.	Transwestern Pipeline Co., Como Area, Lipscomb County, Tex.	Letter agreement 4-26-65 ¹	195	23
CI63-1459 ⁴ E 5-6-65	Patchin-Wilmoth Industries, Inc., et al. ⁵ (successor to Cherokees Enterprises, Inc., et al.)	Natural Gas Pipeline Co. of America, Hebbroville Area, Jim Hogg County, Tex.	Cherokees Enterprises, Inc., et al., FPC GRS No. 1. Notice of succession 5-6-65	1	
CI63-1111 C 6-17-65 ¹¹	Texas Inc.	Panhandle Eastern Pipe Line Co., North Hansford Field, Hansford County, Tex.	Effective date: 4-1-63 Amendment 11-25-64 ¹²	309	2
CI64-1136 E 6-14-65	Landa Oil Co. (successor to J. A. Heard, d.b.a. Heard Oil & Gas).	United Gas Pipe Line Co., Quinte Creek and Fort Lipan Fields, Jim Wells and Nueces Counties, Tex.	J. A. Heard, d.b.a. Heard Oil & Gas, FPC GRS No. 1. Supplement Nos. 1-8 Notice of succession, 5-31-65	2	1-8
CI65-616 C 6-8-65 ¹⁴	BTA Oil Producers (Operator), et al.	El Paso Natural Gas Co., Spraberry Trend Area, Reagan County, Tex.	Assignment, 4-16-65 ¹⁵ Effective date: 4-15-65 Supplemental agreement, 5-10-65	21	1
CI65-734 3-8-65 ¹⁷	Continental Oil Co. (Operator), et al.	Mountain Fuel Supply Co., Canyon Creek Field, Sweetwater County, Wyo.	(F)		
CI65-905 (CI63-707) B 8-10-65	Appell Petroleum Corp. (Operator), et al.	Valley Gas Transmission, Inc., Refugio Field, Refugio County, Tex.	Notice of cancellation (undated). ¹⁸	11	1
CI65-906 (CI63-704) B 8-10-65	Gene A. Carter (Operator), et al.	do.	do.	1	1
CI65-907 (CI63-705) B 3-10-65	Welsh Oil & Gas (Operator), et al.	do.	do.	3	1

Filing Code: A—Initial service.
B—Abandonment.
C—Amendment to add acreage.
D—Amendment to delete acreage.
E—Succession.
F—Partial succession.

See footnotes at end of table.

² Humble Oil & Refining Co. (Operator), et al., Amerada Petroleum Corp., Parker & Parsley, et al., and Hanley Co., et al.

* Agreement provides for the sellers to build gathering line.
 * Basic contract provides for 17.9 cents per Mcf initial rate; however, Applicants state that it is willing to accept a permanent certificate conditioned similarly to the certificates issued in Opinion No. 289.

[P.R. Doc. 65-8563; Filed, Aug. 16, 1965; 8:45 a.m.]

[Docket Nos. RI66-36 etc.]

CAROLINE HUNT SANDS ET AL.

Order Providing for Hearings on and Suspension of Proposed Changes in Rates¹

AUGUST 9, 1965.

The Respondents named herein have filed proposed increased rates and charges of currently effective rate schedules for sales of natural gas under Commission jurisdiction, as set forth in Appendix A hereof.

The proposed changed rates and charges may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is in the public interest and consistent with the Natural Gas Act that the Commission enter upon hearings regarding the lawfulness of the proposed changes, and that the supplements herein be suspended and their use be deferred as ordered below.

The Commission orders:

(A) Under the Natural Gas Act, particularly sections 4 and 15, the regulations pertaining thereto (18 CFR Ch. I), and the Commission's rules of practice and procedure, public hearings shall be held concerning the lawfulness of the proposed changes.

(B) Pending hearings and decisions thereon, the rate supplements herein are

suspended and their use deferred until date shown in the "Date Suspended Until" column, and thereafter until made effective as prescribed by the Natural Gas Act.

(C) Until otherwise ordered by the Commission, neither the suspended supplements, nor the rate schedules sought to be altered, shall be changed until disposition of these proceedings or expiration of the suspension period.

(D) Notices of intervention or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 and 1.37(f)) on or before September 22, 1965.

By the Commission.

[SEAL]

GORDON M. GRANT,
Acting Secretary.

APPENDIX A

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until	Cents per Mcf		Rate in effect subject to refund in Docket Nos.
									Rate in effect	Proposed increased rate	
RI66-36	Caroline Hunt Sands, et al., 1401 Elm Street, Dallas, Tex.	10	5	Transwestern Pipeline Co. (Beaver County, Okla.) (Panhandle Area).	(?)	7-19-65	9-1-65	2-1-66	\$17.0	\$19.5	
RI66-37	Marathon Oil Co., 539 South Main Street, Findlay, Ohio.	56	3	Northern Natural Gas Co. (Barby Ranch 12 Field, Beaver County, Okla.) (Panhandle Area).	\$2,506	7-16-65	8-16-65	1-16-66	\$17.0	\$19.0	
RI66-38	Union Oil Co. of California, Union Oil Center, Los Angeles, Calif., 90017.	53	2	Transwestern Pipeline Co. (Como Area, Beaver County, Okla.) (Panhandle Area).	20,000	7-21-65	9-1-65	2-1-66	\$17.0	\$19.5	
	Union Oil Co. of California.	20	9	Kansas-Nebbraska Natural Gas Co., Inc. (Camrick Area, Beaver and Texas Counties, Okla.) (Panhandle Area).	770	7-21-65	9-1-65	2-1-66	\$17.4	\$17.6	RI66-135.
RI66-39	LAB Oil Co. (Operator), et al., Box 1391, Corpus Christi, Tex.	10	2	Valley Gas Transmission, Inc. (Independence Field, Duval County, Tex.) (R.R. District No. 4).	2,500	7-26-65	9-1-65	2-1-66	14.0	\$15.0	

¹ No current deliveries.

² The stated effective date is the effective date requested by Respondent.

³ Periodic rate increase.

⁴ Pressure base is 14.65 p.s.i.a.

⁵ Subject to a downward B.T.U. adjustment.

⁶ Fractured rate increase, seller contractually due periodic increase to 19.5 cents per Mcf.

⁷ Subject to upward and downward B.T.U. adjustment for gas containing more or less than 1,000 B.T.U.'s per cu. ft. (present B.T.U. content of gas is 1,088.8 B.T.U.'s per cu. ft. as shown in filing).

All of the proposed increased rates and charges exceed the applicable area price level for increased rates as set forth in the Commission's Statement of General Policy No. 61-1, as amended (18 CFR Ch. I, Part 2, §2.56).

[P.R. Doc. 65-8564; Filed, Aug. 16, 1965; 8:45 a.m.]

[Docket No. G-3881 etc.]

SOUTHWESTERN OIL & REFINING CO. ET AL.

Findings and Order

AUGUST 6, 1965.

On June 2, 1965, Southwestern Oil & Refining Co. (Operator), et al. (Southwestern), filed an application for abandonment for the sales of natural gas made under its Rate Schedule No. 3, and for settlement of its proposed increased rates under said rate schedule and also under its Rate Schedule No. 5, pursuant to § 1.18 of the Commission's rules of practice and procedure. The above-docketed proceedings involve sales of

natural gas made by Southwestern to Tennessee Gas Transmission Co. (TGT) from fields in Texas Railroad Commission District No. 4. The proposed rate increases under Southwestern's Rate Schedule No. 3 were, in Docket No. G-19997, from 11.90337 cents to 14.87597 cents per Mcf of gas, and in Docket No. RI60-285 to 17.02416 cents per Mcf. Under its Rate Schedule No. 5, Southwestern proposed rate increases from 12.12268 cents to 15.0952 cents per Mcf in Docket No. G-19933, and to 17.24347 cents per Mcf in Docket No. RI60-285.

Each of the proposed increased rates were suspended for the statutory period by order of the Commission, and were subsequently placed in effect, subject to refund by Southwestern by motion duly filed in accordance with the applicable provisions of the Natural Gas Act.

Southwestern proposes a settlement rate under each of the subject rate schedules of 14.6 cents per Mcf at 14.65 p.s.i.a. Its proposal includes the elimination of the price redetermination and favored nation clauses from its FPC Gas Rate

Schedule No. 5, and the substitution thereof of 1.0 cents per Mcf periodic escalations to commence on July 1, 1965, February 5, 1968, and each 5-year period thereafter. Southwestern also proposes to refund to TGT all monies collected subject to refund above the settlement rates.

However, in its application for abandonment of sales of natural gas under its FPC Gas Rate Schedule No. 3, Southwestern states that the reserves are depleted, and TGT, by letter agreement dated November 6, 1964, concurs. As we have previously stated, the provisions of the Second Amendment to the Statement of General Policy No. 61-1 (18 CFR 2.56) are not applicable where deliveries of natural gas have ceased, Jack P. Rayzor (Operator), et al., Docket No. G-16702 (order issued June 20, 1963); Reserve Oil and Gas Co., Docket Nos. G-18570, et al., — FPC — (order issued June 16, 1965). Consequently, we shall condition our approval of Southwestern's offer of settlement to require it to refund to TGT all amounts collected subject to refund above the area increased ceiling rate which is 14.0 cents per Mcf at 14.65 p.s.i.a. for the sale of

¹ Does not consolidate for hearing or dispose of the several matters herein.

² All of the rates stated are at 14.65 p.s.i.a., inclusive of tax reimbursement.

pipeline quality gas less applicable contract deductions.²

Under the settlement proposal, as conditioned herein, Southwestern's annual revenues will be decreased approximately \$29,078 from its presently effective rate, and it will refund to TGT approximately \$131,594, exclusive of interest.

The sale made by Southwestern to TGT under its FPC Gas Rate Schedule No. 3, for which it seeks abandonment, and cancellation of said rate schedule, was certificated in Docket No. G-3881. After due notice of Southwestern's application no petition to intervene, notice of intervention, or protest to the granting of the application have been filed.

At a hearing held on July 1, 1965, the Commission on its own motion received and made a part of the record in this proceeding all evidence, including the application submitted in support of the authorization sought herein.

We desire to make it clear that our conditional acceptance of Southwestern's offer of settlement shall not be construed as approval of any future increased rate filed in accordance with its reservation of the right to file increases to cover future tax increases or periodic increases as provided for in its offer of settlement, and is without prejudice to any findings or order of the Commission in any future proceedings, involving Southwestern's rates and rate schedules.

The Commission finds: (1) Applicant is engaged in the sale of natural gas in interstate commerce for resale for ultimate public consumption subject to the jurisdiction of the Commission and is, therefore, a "natural-gas company" within the meaning of the Natural Gas Act.

(2) The sale of natural gas proposed to be abandoned, as hereinbefore described and as more fully described in the application in this proceeding, is subject to the requirements of subsection (b) of section 7 of the Natural Gas Act.

(3) The subject abandonment is permitted by the public convenience and necessity and should be approved as hereinafter ordered.

(4) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act and the public convenience and necessity require that the order issuing a certificate in Docket No. G-3881

should be amended by deleting therefrom authorization to make the sale proposed to be abandoned.

(5) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that notice of cancellation of Applicant's FPC Gas Rate Schedule No. 3 should be accepted for filing.

(6) The proposed settlement of the above designated proceedings, as conditioned herein and on the basis described herein, as more fully set forth in the offer of settlement filed with the Commission by Southwestern on June 2, 1965, is consistent with the Statement of General Policy No. 61-1, as amended, 18 CFR 2.56, and the conditional approval thereof as made effective and hereinafter ordered is in the public interest and is appropriate to carry out the provisions of the Natural Gas Act.

The Commission orders: (A) Permission for and approval of the abandonment of service by Applicant, as hereinbefore described and as more fully described in the application in Docket No. G-3881, are granted.

(B) The order issuing a certificate in Docket No. G-3881 is amended by deleting therefrom authorization to make the sale of natural gas permitted to be abandoned in paragraph (A) above.

(C) The notice of cancellation dated November 30, 1964, is accepted for filing effective the date of this order and is designated as Supplement No. 4 to Applicant's FPC Gas Rate Schedule No. 3.

(D) The offer of settlement filed with the Commission by Southwestern on June 2, 1965, is approved as conditioned herein and in accordance with the provisions of this order.

(E) Southwestern shall file within 30 days of the issuance of this order a notice of change in rate providing for the settlement rate of 14.6 cents per Mcf at 14.65 p.s.i.a., inclusive of tax reimbursement under its Rate Schedule No. 5 together with an executed contract amendment eliminating the favored-nation and price redetermination clauses from said rate schedule. The notice of change and the contractual amendment shall be submitted in accordance with Part 154 of the Commission's regulations under the Natural Gas Act.

(F) Southwestern shall compute the difference between the rates collected subject to refund and 13.78069 cents and 14.6 cents per Mcf under Rate Schedule Nos. 3 and 5, respectively, with applicable interest, to the date of this order, and shall within 45 days from the date of issuance of this order submit a report to the Commission, with a copy to TGT, setting out the amount of refunds (showing separately the principal and appli-

cable interest), the bases used for such determination, the periods covered, and 10 days thereafter a letter from TGT agreeing to the correctness of such amounts. Ten days thereafter, unless notified to the contrary by the Secretary of the Commission, Southwestern shall refund to TGT the monies, with applicable interest, computed as set forth above.

(G) Upon notification by the Secretary of the Commission that Southwestern has complied with the terms and conditions of this order, the rate and charge of 14.6 cents per Mcf under its Rate Schedule No. 5, specified in its offer of settlement shall be effective as of the date of the issuance of this order; the above-designated proceedings shall be deemed severed from the Texas Gulf Coast proceeding, Docket No. AR64-2, and the proceeding in Docket No. G-3881 shall be deemed terminated insofar as it pertains to Southwestern's FPC Gas Rate Schedule No. 3.

(H) The acceptance by the Commission of Southwestern's offer of settlement, as herein conditioned, is without prejudice to any findings or determinations that may be made in any proceeding now pending, or hereafter instituted by or against Southwestern, and is without prejudice to claims or contentions which may be made by Southwestern, the Commission staff, or any affected party hereto, in any proceeding, including area rate or similar proceedings.

By the Commission.

[SEAL]

JOSEPH H. GUTRIE,
Secretary.

[F.R. Doc. 65-8611; Filed, Aug. 10, 1965; 8:45 a.m.]

[Docket No. RI66-35]

SOUTHERN PETROLEUM EXPLORATION, INC.

**Order Accepting Rate Increase Filing,
Providing for Hearing on and Suspension of Proposed Changes in Rates, and Allowing Rate Changes To Become Effective Subject to Refund**

AUGUST 6, 1965.

Southern Petroleum Exploration, Inc. (Southern Petroleum) has tendered for filing proposed changes in its presently effective rate schedules for sales of natural gas subject to the jurisdiction of the Commission. The proposed changes, which constitute increased rates and charges, are designated as follows:

² Southwestern's FPC Gas Rate Schedule No. 3 provides for a 0.21931 cent per Mcf dehydration charge, therefore, it will actually refund to a rate of 13.78069 cents per Mcf for the monies collected subject to refund.

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf		Rate in effect subject to refund in Docket Nos.
									Rate in effect	Proposed increased rate	
RI66-35	Southern Petroleum Exploration, Inc., Box 192, Sistersville, W. Va. 26175. Attn: Mr. John C. Wright.	12	7	El Paso Natural Gas Co. (Rincon and San Juan Unit, Rio Arriba County, N. Mex.) (San Juan Basin Area).	\$1,519	7-9-65	8-9-65	8-10-65	*13.0	**14.0	
	Southern Petroleum Exploration, Inc.	14	7	do.	881	7-9-65	8-9-65	8-10-65	*13.0	**14.0	
	do.	14	7						*13.0	**13.0	
	do.	15	1	El Paso Natural Gas Co. (Canyon Largo Unit, Rio Arriba County, N. Mex.) (San Juan Basin Area).	802	7-9-65	8-9-65	8-10-65	*13.0	**14.0	

* The stated effective date is the first day after expiration of the required statutory notice.

* The suspension period is limited to 1 day.

* Periodic rate increase.

* Pressure base is 15.025 p.s.i.a.

* Includes 1.0 cent per Mcf minimum guarantee for liquids.

* Exclusive of acreage added by Supplement Nos. 5 and 6.

* Applicable only to acreage added by Supplement Nos. 5 and 6, for which the 1.0 cent per Mcf liquid guarantee has been eliminated.

Southern Petroleum request waiver of the statutory notice period in order to permit its proposed rate increases to become effective as of August 1, 1965. Good cause has not been shown for waiving the 30-day notice requirement provided in section 4(d) of the Natural Gas Act to permit an earlier effective date for Southern Petroleum's rate filings and such request is denied.

Southern Petroleum's proposed periodic rate increases (except the 13.0 cents per Mcf rate increase contained in Supplement No. 7 to its FPC Gas Rate Schedule No. 14) did not include as part of its proposed rates the contractually provided 1.0 cent per Mcf minimum guarantee for liquids. The addition of this minimum guarantee of 1.0 cent per Mcf to the base rate results in a total rate in excess of the 13.0 cents per Mcf area ceiling for increased rates in the San Juan Basin Area. Southern Petroleum has advised that it is not willing to waive such minimum guarantee for liquids. We believe, in this situation, Southern Petroleum's proposed rate increases (except the 13.0 cents per Mcf rate mentioned above) should be suspended for one day from August 9, 1965, the date of expiration of the statutory notice.

Supplement No. 7 to Southern Petroleum's FPC Gas Rate Schedule No. 14 contains two rate increases, a 14.0 cents per Mcf which is suspended herein, and a 13.0 cents per Mcf rate increase which covers additional dedicated acreage under Supplement Nos. 5 and 6 to its FPC Gas Rate Schedule No. 14 for which the 1.0 cent per Mcf minimum guarantee for liquids was previously deleted by contract amendments. The 13.0 cents per Mcf rate for such acreage is equal to the area increased rate ceiling in the Permian Basin Area and may be accepted for filing to become effective as of August 9, 1965, the date of expiration of the statutory notice.

Southern Petroleum's proposed increased rates and charges (except the 13.0 cents per Mcf rate contained in Supplement No. 7 to its FPC Gas Rate Schedule No. 14) exceed the applicable price level for increased rates in the Permian Basin Area as set forth in the Commission's Statement of General Policy No. 61-1, as amended (18 CFR Ch. I, Part 2, § 2.56).

The proposed changed rates and charges may be unjust, unreasonable,

unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds:

(1) Good cause has been shown that the 13.0 cents per Mcf rate, contained in Supplement No. 7 to Southern Petroleum's FPC Gas Rate Schedule No. 14, should be accepted for filing and permitted to become effective as of August 9, 1965, the date of expiration of the statutory notice.

(2) It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the proposed changes, and that the above-designated supplements be suspended (except the 13.0 cents per Mcf rate mentioned in (1) above) and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) The 13.0 cents per Mcf rate contained in Supplement No. 7 to Southern Petroleum's FPC Gas Rate Schedule No. 14 is hereby accepted for filing and permitted to become effective as of August 9, 1965, the date of expiration of the statutory notice.

(B) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR Ch. I), a public hearing shall be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of the proposed increased rates and charges contained in the above-designated supplements (except the 13.0 cents per Mcf rate referred to in (A) above).

(C) Pending a hearing and decision thereon, the above-designated rate supplements are hereby suspended and the use thereof deferred until the date indicated in the above "Date Suspended Until" column, and thereafter until such further time as they are made effective in the manner prescribed by the Natural Gas Act: *Provided, however*, That the supplements to the rate schedules filed by Southern Petroleum, as set forth herein, shall become effective subject to refund on the date and in the manner herein prescribed if within 20 days from the date of the issuance of this order Southern Petroleum shall execute and file under its above-designated docket number with the Secretary of the Com-

mission its agreement and undertaking to comply with the refunding and reporting procedure required by the Natural Gas Act and § 154.102 of the regulations thereunder, accompanied by a certificate showing service of copies thereof upon the purchaser, El Paso Natural Gas Co., under the rate schedule involved. Unless Southern Petroleum is advised to the contrary within 15 days from the filing of its agreement and undertaking, such agreement and undertaking shall be deemed to have been accepted.

(D) Neither the supplements hereby suspended, nor the rate schedules sought to be altered thereby, shall be changed until this proceeding has been disposed of or until the periods of suspension have expired, unless otherwise ordered by the Commission.

(E) Notices of intervention or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 and 1.37(f) on or before September 22, 1965.

By the Commission.

[SEAL] GORDON M. GRANT,
Acting Secretary.

[F.R. Doc. 65-8566; Filed, Aug. 16, 1965; 8:45 a.m.]

[Docket Nos. RI66-29 etc.]

SKELLY OIL CO. ET AL.

Order Providing for Hearings on and Suspension of Proposed Changes in Rates¹

AUGUST 6, 1965.

The Respondents named herein have filed proposed increased rates and charges of currently effective rate schedules for sales of natural gas under Commission jurisdiction, as set forth in Appendix A hereof.

The proposed changed rates and charges may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is in the public interest and consistent with the Natural Gas Act that the Commission enter upon hearings regarding the lawfulness of the proposed changes, and that the supplements herein be suspended and their use be deferred as ordered below.

The Commission orders:

(A) Under the Natural Gas Act, particularly sections 4 and 15, the regulations pertaining thereto (18 CFR Ch. I), and the Commission's rules of practice and procedure, public hearings shall be held concerning the lawfulness of the proposed changes.

(B) Pending hearings and decisions thereon, the rate supplements herein are suspended and their use deferred until

date shown in the "Date Suspended Until" column, and thereafter until made effective as prescribed by the Natural Gas Act.

(C) Until otherwise ordered by the Commission, neither the suspended supplements, nor the rate schedules sought to be altered, shall be changed until disposition of these proceedings or expiration of the suspension period.

(D) Notices of intervention or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 and 1.37(f)) on or before September 22, 1966.

By the Commission.

[SEAL]

JOSEPH H. GUTRIDE,
Secretary.

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until	Cents per Mcf		Rate in effect subject to refund in Docket Nos.
									Rate in effect	Proposed increased rate	
RI66-29	Skelly Oil Co. (Operator), et al., Post Office Box 1660, Tulsa, Okla., Attn: Richard J. Dent, Esq.	187	5	El Paso Natural Gas Co. (West Jal Unit, Lea County, N. Mex.) (Permian Basin Area).	\$11,382	7-9-65	8-9-65	1-9-66	\$15.6238	\$16.6318	
RI66-30	George T. Abell, Post Office Box 430, Midland, Tex., 79701. Attn: Mr. James L. Trotter.	3	2	El Paso Natural Gas Co. (Red Hills Field, Lea County, N. Mex.) (Permian Basin Area).	157	7-9-65	8-9-65	1-9-66	\$16.0	\$16.5	
RI66-31	C. E. Long, et al., Post Office Box 151, Midland, Tex., 79701.	1	1	El Paso Natural Gas Co. (South Eunice Field, Lea County, N. Mex.) (Permian Basin Area).	969	7-15-65	9-1-65	2-1-66	\$15.0533	\$16.0633	
RI66-32	Arthur I. Appleton d.b.a. Appleton Oil Co., 509 Beacon Bldg., Tulsa, Okla., 74103.	1	3	Arkansas Louisiana Gas Co. (Deer Creek Field, Grant County, Okla.) (Oklahoma "Other" Area).	4,800	7-15-65	9-1-65	2-1-66	\$11.0	\$12.0	
RI66-33	Marathon Oil Co., 830 South Main Street, Findlay, Ohio.	31	12	Colorado Interstate Gas Co. (Moccasin Field, Beaver County, Okla.) (Panhandle Area).	27,344	7-16-65	8-16-65	1-16-66	\$16.9	\$18.0	
	Marathon Oil Co.	47	2	Lone Star Gas Co. (Carter Knox Field, Grady and Stephens Counties, Okla.) (Carter-Knox Area).	111	7-16-65	8-16-65	1-16-66	16.8	\$17.9	
	do.	48	1	Natural Gas Pipeline Co. of America (SE Boyd Field, Beaver County, Okla.) (Panhandle Area).	311	7-16-65	8-16-65	1-16-66	\$16.0	\$17.0	
	do.	35	5	Natural Gas Pipeline Co. of America (SE Camrick Gas Pool, Beaver County, Okla.) (Panhandle Area).	71	7-16-65	8-16-65	1-16-66	\$16.4	\$17.5	
	do.	41	1	Northern Natural Gas Co. (Rooston Field, Beaver County, Okla.) (Panhandle Area).	378	7-16-65	8-16-65	1-16-66	\$16.75	\$17.97	
RI66-34	do.	43	3	Panhandle Eastern Pipe Line Co. (Western Moccasin Field, Beaver County, Okla.) (Panhandle Area).	31	7-16-65	8-16-65	1-16-66	16.0	\$17.0	
	Marathon Oil Co. (Operator), et al.	30	9	Colorado Interstate Gas Co. (Laverne Field, Harper and Beaver Counties, Okla.) (Panhandle Area).	23,058	7-16-65	8-16-65	1-16-66	\$16.8	\$17.9	

¹ The stated effective date is the effective date requested by Respondent.

² Periodic rate increase.

³ Pressure base is 14.65 p.s.i.a.

⁴ Includes partial reimbursement for 0.55 percent increase in New Mexico Emergency School Tax.

⁵ Initial rate.

⁶ The stated effective date is the first day after expiration of the required statutory notice.

⁷ Subject to downward B.t.u. adjustment.

⁸ Subject to upward and downward B.t.u. adjustment.

⁹ Includes base rate of 15.0 cents per M.c.f. before increase and 16.0 cents per M.c.f. after increase plus upward B.t.u. adjustment.

¹⁰ Seven-step periodic rate increase.

George T. Abell (Abell) requests that his proposed rate increase be permitted to become effective as of August 1, 1965, the contractually provided effective date. Good cause has not been shown for waiving the 30-day notice requirement provided in section 4(d) of the Natural Gas Act to permit an earlier effective date for Abell's rate filing and such request is denied.

All of the proposed increased rates and charges exceed the applicable area price levels for increased rates as set forth in the Commission's Statement of General Policy No. 61-1, as amended (18 CFR Ch. I, Part 2, § 2.56).

[P.R. Doc. 65-8565; Filed, Aug. 16, 1965; 8:45 a.m.]

FEDERAL RESERVE SYSTEM

MARINE MIDLAND TRUST CO. OF NEW YORK

Order Approving Acquisition of Bank's Assets

In the matter of the application of The Marine Midland Trust Co. of New York for approval of acquisition of assets of Grace National Bank of New York.

There has come before the Board of Governors pursuant to the Bank

Merger Act of 1960 (12 U.S.C. 1828(c)), an application by The Marine Midland Trust Co. of New York, New York, N.Y., a State member bank of the Federal Reserve System, for the Board's prior approval of its acquisition of assets and assumption of deposit liabilities of Grace National Bank of New York, New York, N.Y., and, as an incident thereto, The Marine Midland Trust Co. of New York has applied, under section 9 of the Federal Reserve Act, for the Board's prior approval of the establishment by that bank of a branch at the location of the sole office of Grace National Bank of

New York. Notice of the proposed acquisition of assets and assumption of deposit liabilities, in form approved by the Board, has been published pursuant to said act.

Upon consideration of all relevant material in the light of the factors set forth in said act, including reports furnished by the Comptroller of the Currency, The Federal Deposit Insurance Corporation, and the Attorney General on the competitive factors involved in the proposed transaction,

It is hereby ordered, For the reasons set forth in the Board's Statement¹ of this date, that said applications be and hereby are approved, provided that said acquisition of assets and assumption of deposit liabilities and establishment of the branch shall not be consummated (a) within 7 calendar days after the date of this Order or (b) later than 3 months after said date.

Dated at Washington, D.C., this 10th day of August 1965.

By order of the Board of Governors.²

[SEAL] MERRITT SHERMAN,
Secretary.

[F.R. Doc. 65-8639; Filed, Aug. 16, 1965;
8:47 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[811-1229]

AMPAL ISRAEL MUTUAL FUND, INC.

Notice of Application for Order Declaring That Company Has Ceased To Be Investment Company

AUGUST 11, 1965.

Notice is hereby given that an application has been filed pursuant to section 8(f) of the Investment Company Act of 1940 ("Act") for an order of the Commission declaring that the Ampal Israel Mutual Fund, Inc. ("applicant"), 17 East 71st Street, New York, N.Y., a Delaware corporation and a closed-end diversified management investment company registered under the Act, has ceased to be an investment company. All interested persons are referred to the application on file with the Commission for a statement of the representations therein which are summarized below.

Applicant filed a notification of registration on Form N-8A pursuant to section 8(a) of the Act on July 29, 1963. On the same date a registration statement was filed with this Commission under the Securities Act of 1933 with respect to a proposed public offering of 300,000 shares

of applicant's common stock. Applicant determined not to proceed with the public offering, and on July 27, 1965, the Commission granted applicant's request to withdraw its registration statement under the Securities Act of 1933.

Applicant represents that it has never engaged in any business, that it does not have, nor has it ever had, any stockholders or assets, and that it is not making, and has no present intention of making, any offering of its securities or engaging in the business of investing, reinvesting or trading in securities.

Section 8(f) of the Act provides, in pertinent part, that when the Commission, upon application, finds that a registered investment company has ceased to be an investment company, it shall so declare by order, and that upon the taking effect of such order the registration of such company shall cease to be in effect.

Notice is further given that any interested person may, not later than August 31, 1965, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C., 20549. A copy of such request shall be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon applicant at the address stated above. Proof of such service (by affidavit or in case of an attorney-at-law by certificate) shall be filed contemporaneously with the request. At any time after said date, as provided by Rule 0-5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the information stated in said application, unless an order for hearing upon said application shall be issued upon request or upon the Commission's own motion.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F.R. Doc. 65-8640; Filed, Aug. 16, 1965;
8:47 a.m.]

INTERSTATE COMMERCE COMMISSION

[Notice 41]

FINANCE APPLICATIONS

AUGUST 12, 1965.

The following publications are governed by the Interstate Commerce Commission's general requirements governing notice of filing of applications under sections 20a except (12) and 214 of the Interstate Commerce Act. The Commission's order of May 20, 1964, providing for such publication of notice, was published

in the FEDERAL REGISTER issue of July 31, 1964 (29 F.R. 11126), and became effective October 1, 1964.

All hearings and prehearing conferences, if any, will be called at 9:30 a.m., U.S. standard time unless otherwise specified.

F.D. No. 23765. By application filed August 5, 1965, Quinn Freight Lines, Inc., 1093 North Montello Street, Brockton, Mass., seeks authority under section 214 of the Interstate Commerce Act to issue not exceeding \$500,000 principal amount of 10-year 6 percent debentures. Applicant's attorney: Mary E. Kelley, 10 Tremont Street, Boston 8, Mass. An information copy of any correspondence in regard to this application should also be addressed to: Mr. Thomas J. Lyons, President and Treasurer, 1093 North Montello Street, Brockton, Mass. Protests must be filed no later than 15 days from date of publication in the FEDERAL REGISTER.

F.D. No. 23769. By application filed August 6, 1965, Chemical Leaman Tank Lines, Inc., 520 East Lancaster Avenue, Downingtown, Pa., seeks authority under section 214 of the Interstate Commerce Act to issue: (1) 916 shares of Class "B" Stock, par value \$10 per share; (2) 5,200 shares of Class "A" Stock, \$10 par value; (3) 780,192 shares of Common Stock, \$2.50 par value, into which all Class "A" and Class "B" Stock to be issued and outstanding is to be changed and reclassified, on the basis of 12 for 1; 150,000 shares of Common Stock, \$2.50 par value, to be sold to the public; and (5) 36,000 shares of Common Stock, \$2.50 par value, to be issued upon exercise of stock options. Applicant's attorneys: Leonard A. Jaskiewicz, Esq., Madison Building, 1155 15th Street NW., Washington, D.C., 20005, and Earl L. Cox, Treasurer, 520 East Lancaster Avenue, Downingtown, Pa. Protests must be filed no later than 15 days from date of publication in the FEDERAL REGISTER.

F.D. No. 23772. By application filed August 9, 1965, Associated Truck Lines, Inc., 15 Andre Street, SE., Grand Rapids, Mich., seeks authority under section 214 of the Interstate Commerce Act to issue 7,000 shares of its Class A Common Stock. Applicant's attorneys: Roland Rice, 618 Perpetual Building, Washington, D.C., and Conrad A. Bradshaw, 300 Michigan Trust Building, Grand Rapids, Mich. Protests must be filed no later than 15 days from date of publication in the FEDERAL REGISTER. NOTE: This application is directly related to MC-F-9189.

F.D. No. 23774. By application filed August 10, 1965, Widing Transportation August 10, 1965, Widing Transportation, Inc., 3347 Northwest St. Helens Road, Portland, Oreg., 97210, seek authority under section 214 of the Interstate Commerce Act to issue: (1) A 10-year installment promissory note in the principal amount of \$1,300,000; (2) a 10-year installment promissory note in the amount of \$100,000; (3) a 6-year installment promissory note in the amount of \$50,000; and (4) to assume liability in the amount of \$60,000. Applicant's attorneys: Earle V. White, White and Southwell, 2130 Southwest Fifth Avenue, Portland, Oreg., 97201, and Joseph F. Mullins, Jr., Denning and Wohlstetter, One Far-

¹ Filed as part of the original document. Copies available upon request to the Board of Governors of the Federal Reserve System, Washington, D.C., 20551, or to the Federal Reserve Bank of New York. Dissenting Statement of Governor Robertson also filed as part of the original document and available upon request.

² Voting for this action: Chairman Martin, and Governors Balderston, Shephardson, Mitchell, Daane, and Maisel. Voting against this action: Governor Robertson.

ragut Square South, Washington 6, D.C. Protests must be filed no later than 15 days from date of publication in the FEDERAL REGISTER. NOTE: This application is directly related to MC-F-9158.

By the Commission.

[SEAL] H. NEIL GARSON,
Secretary.

[P.R. Doc. 65-8648; Filed, Aug. 16, 1965;
8:48 a.m.]

[Notice 27]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

AUGUST 12, 1965.

The following are notices of filing of applications for temporary authority under section 210a(a) of the Interstate Commerce Act provided for under the new rules in Ex Parte No. MC 67 (49 CFR Part 240), published in the FEDERAL REGISTER, issue of April 27, 1965, effective July 1, 1965. These rules provide that protests to the granting of an application must be filed with the field official named in the FEDERAL REGISTER publication, within 15 calendar days after the date notice of the filing of the application is published in the FEDERAL REGISTER. One copy of such protest must be served on the applicant, or its authorized representative, if any, and the protest must certify that such service has been made. The protest must be specific as to the service which such protestant can and will offer, and must consist of a signed original and six (6) copies.

A copy of the application is on file, and can be examined, at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in the field office to which protests are to be transmitted.

MOTOR CARRIERS OF PROPERTY

No. MC 126724 (Sub-No. 2 TA), filed August 10, 1965. Applicant: DOBSON MILK TRANSIT, INC., Box No. 206, Orfordville, Wis., 53576. Applicant's representative: G. K. Steil, One East Milwaukee Street, Janesville, Wis., 53545. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Cottage cheese, sour cream and sour cream dips*, in shipper-owned trailers, from Bancroft Dairy, Madison, Wis., to Centralia and DuQuoin, Ill.; Paducah, Ky.; Memphis, Tenn.; Little Rock, Ark.; Texarkana, Tex.; Shreveport, La.; and Greenwood, Miss., for 180 days. Supporting shipper: Bancroft Dairy, 1010 South Park Street, Madison, Wis., 53715. Send protests to: Charles W. Buckner, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 214 North Hamilton Street, Madison, Wis., 53703.

No. MC 127170 (Sub-No. 1-TA), filed August 10, 1965. Applicant: TRUCK RENTAL COMPANY, Route 1, Argyle, Iowa, 52619. Applicant's representative: David Axelrod, 39 South La Salle Street, Chicago 3, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting:

Agricultural insecticides, fungicides, and weed killing compounds, in containers, from El Paso, Ill., to points in Michigan, Wisconsin, Ohio, Indiana, Iowa, Minnesota, and Missouri, and *damaged and rejected materials*, on return, for 180 days. Supporting shipper: Chevron Chemical Co., Post Office Box 282, Ortho Way, Fort Madison, Iowa, 52627. Send protests to: Chas. C. Biggers, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 235 U.S. Post Office Building, Davenport, Iowa, 52801.

No. MC 127469 (Sub-No. 1 TA), filed August 10, 1965. Applicant: ANDIE BAT, doing business as ANDIE BAT HAULAGE CO., 2351 Barclay Road, Burlington, Ontario, Canada. Applicant's representative: William J. Hirsch, 43 Niagara Street, Buffalo, N.Y., 14202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Building brick and tile*, on self-unloading trailers, from New Brighton, Lewis Run, and Summerville, Pa., to the port of entry on the international boundary between the United States and Canada at or near Buffalo, N.Y., and *returned, or rejected shipments* of the same commodities, on return, for 150 days. Supporting shipper: Webster & Sons Ltd., 2400 Finch Avenue West, Weston, Ontario, Canada. Send protests to: George M. Parker, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 324 U.S. Post Office Building, Buffalo, N.Y., 14203.

No. MC 127487 TA, filed August 10, 1965. Applicant: CALHOUN TRUCKING COMPANY, INC., 4325 Bath Street, Philadelphia 37, Pa. Applicant's representative: Thomas J. Holt, 4325 Bath Street, Philadelphia 37, Pa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wooden poles and piling*, treated or untreated, in flatbed trailers, from Philadelphia, Pa., to points in Connecticut, for 180 days. Supporting shipper: Eppinger and Russell Co., Post Office Drawer D, Cornwells Heights, Bucks County, Pa., 19020. Send protests to: F. W. Doyle, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 900 U.S. Custom House, Philadelphia, Pa., 19106.

By the Commission.

[SEAL] H. NEIL GARSON,
Secretary.

[P.R. Doc. 65-8649; Filed, Aug. 16, 1965;
8:48 a.m.]

[Notice 1216]

MOTOR CARRIER TRANSFER PROCEEDINGS

AUGUST 12, 1965.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 179), appear below:

As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered

proceedings within 20 days from the date of publication of this notice. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC-67941. By order of August 9, 1965, the Transfer Board approved, on reconsideration, the transfer to Arizona Tank Lines, Inc., Phoenix, Ariz., of the operating rights in Certificate No. MC-115246 (Sub-No. 1), issued June 11, 1959, to King Tank Truck Service, Inc., Farmington, N. Mex., authorizing the transportation, over irregular routes, of mud, chemicals, and lost circulation materials, hydraulic fracturing fluid, in bulk, in tank vehicles, and water, in bulk, in tank vehicles, between specified points in Arizona, Colorado, New Mexico, and Utah, varying with the commodities indicated. William J. Lippman, 1824 R Street NW, Washington, D.C., 20009, attorney for applicants.

No. MC-FC-68016. By order of August 9, 1965, the Transfer Board approved the transfer to Norbert Richter, Ashton, Iowa, of the operating rights in Certificate No. MC-27263, issued August 16, 1949, to Joe Fix, Ashton, Iowa, authorizing the transportation, over irregular routes, of livestock, agricultural implements, and twine, between Ashton, Iowa, and points within 10 miles of Ashton, Iowa, on the one hand, and, on the other, Sioux Falls, S. Dak.

No. MC-FC-68025. By order of August 9, 1965, the Transfer Board approved the transfer to Sam Malta and Irving Levin, a partnership, doing business as L. & M. Express Co., Lyndhurst, N.J., of the operating rights in Certificates Nos. MC-44639, MC-44639 (Sub-No. 3), MC-44639 (Sub-No. 4), and MC-44639 (Sub-No. 6), issued June 27, 1950, January 18, 1951, February 17, 1955, and January 29, 1958, respectively, to Sam Malta, Irving Levin, and Abe Levin, a partnership, doing business as L. & M. Express Co., Lyndhurst, N.J., authorizing the transportation, over irregular routes, of: *Garments and articles used in the manufacture of wearing apparel*, between specified points in New York, New Jersey, Virginia, and Maryland. Herman B. J. Weckstein, 1060 Broad Street, Newark, N.J., attorney for applicants.

No. MC-FC-68029. By order of August 9, 1965, the Transfer Board approved the transfer to J. & J. Garment Delivery, Dumont, N.J., of a portion of the certificate in No. MC-74538, issued April 8, 1952, to Short Line Delivery Corp., Garnerville, N.Y., authorizing the transportation of: *General commodities, excluding household goods, commodities in bulk and other specified commodities*, between New York, N.Y., on the one hand, and, on the other, points in Essex, Hudson, Union, Bergen, and Passaic Counties, N.J., and Rockland County, N.Y. A. David Millner, 1060 Broad Street, Newark, N.J., 07102, attorney for transferor. Herman B. J. Weckstein, 1060 Broad Street, Newark, N.J., 07102, attorney for transferee.

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